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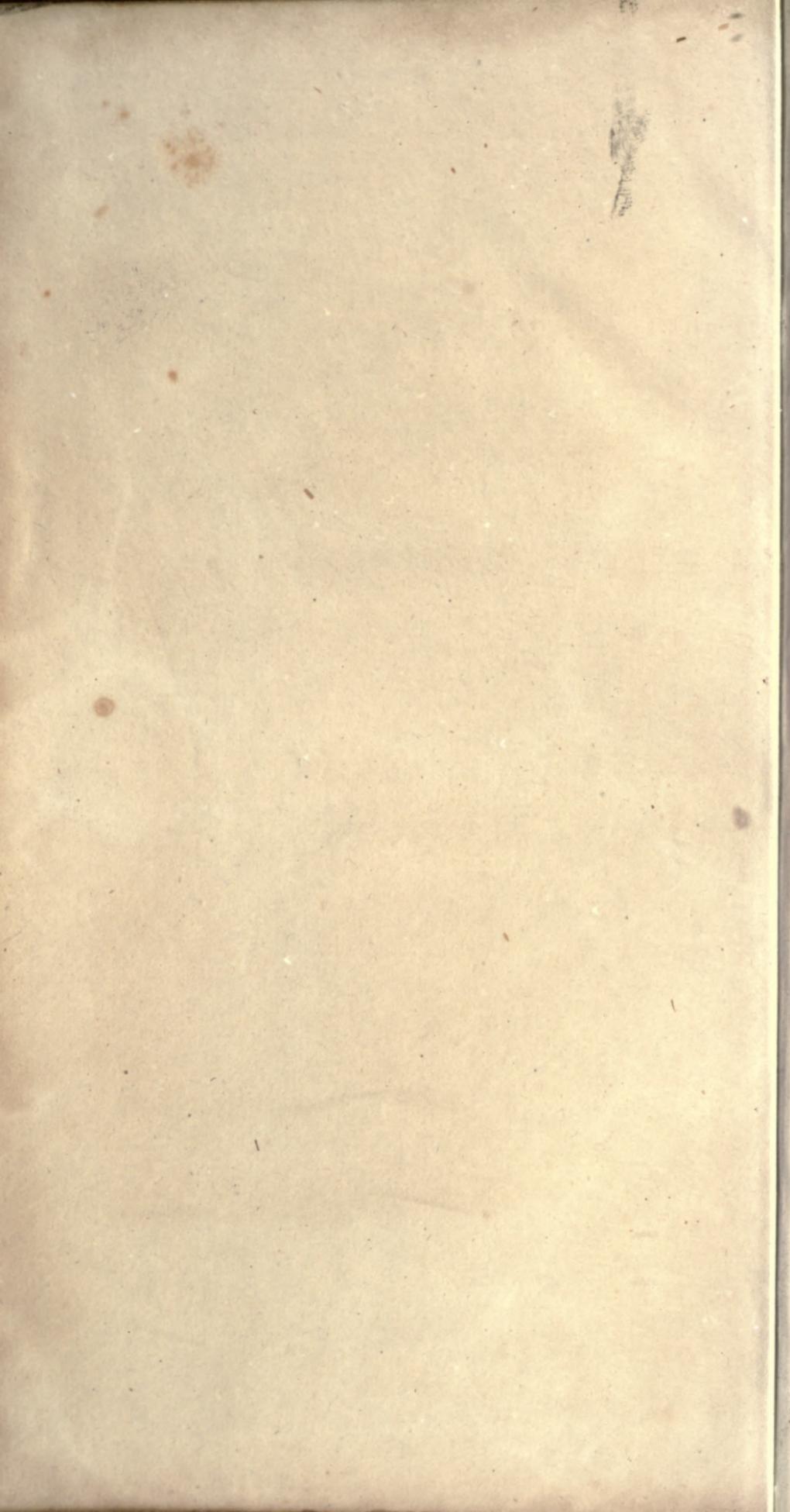
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WRITTEN ON A NEW PLAN,

BY ROBERT HENRY, Q.M.

FOR THE SOCIETIES OF THE ROYAL  
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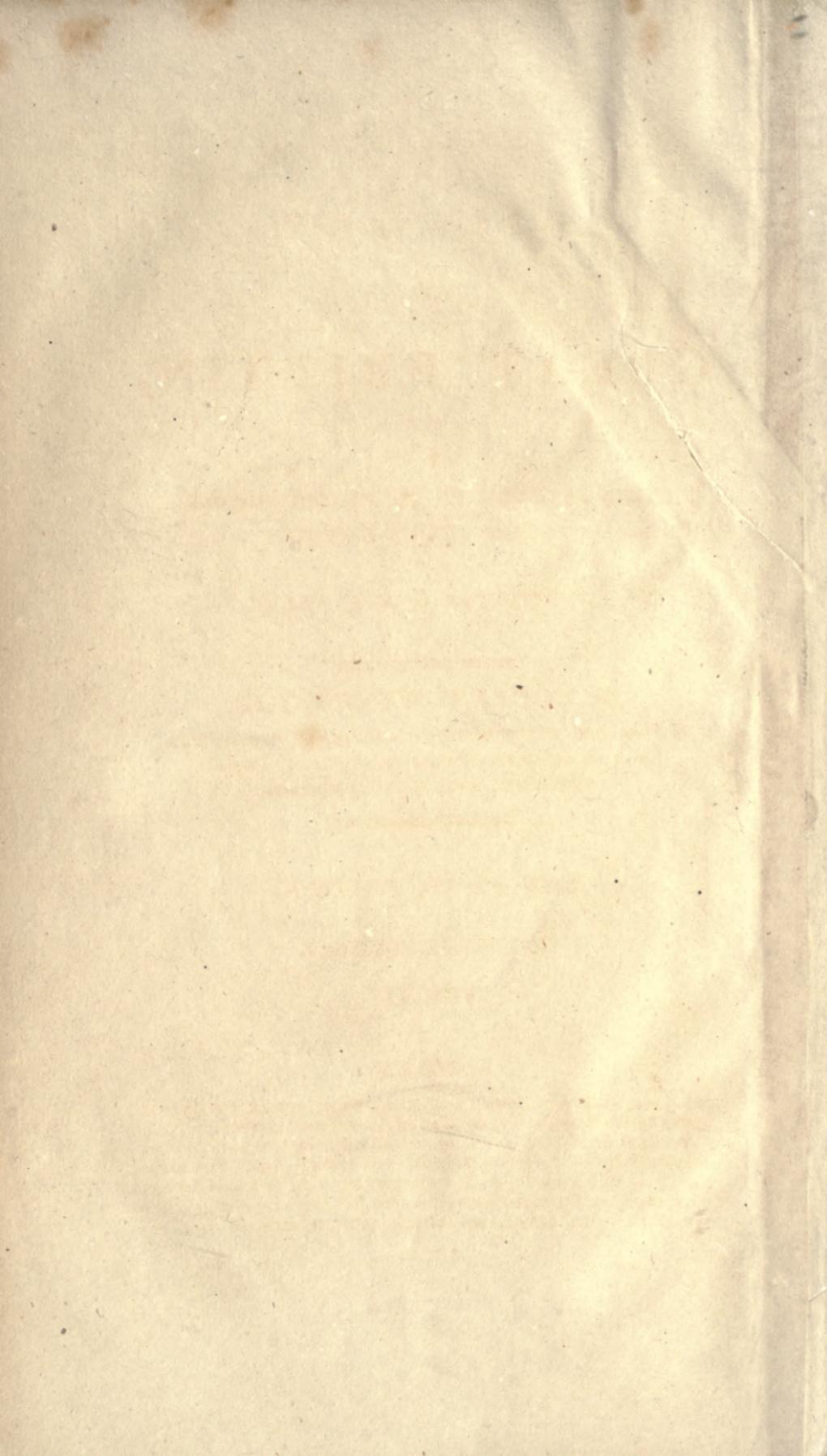
THE FIFTH EDITION.

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VOLUME VI.

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~~THE HISTORY OF GREAT BRITAIN~~

THE  
HISTORY  
OF  
GREAT BRITAIN,

FROM THE  
FIRST INVASION OF IT BY THE ROMANS  
UNDER JULIUS CÆSAR.

*WRITTEN ON A NEW PLAN.*

---

By ROBERT HENRY, D.D.

ONE OF THE MINISTERS OF EDINBURGH, MEMBER OF THE  
SOCIETY OF ANTIQUARIANS OF SCOTLAND, AND OF  
THE ROYAL SOCIETY OF EDINBURGH.

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OF  
THE  
HISTORY  
OF  
GREAT BRITAIN.

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BOOK III.

CHAP. III.

*History of the Constitution, Government, and Laws of Great Britain, from the landing of William Duke of Normandy, A.D. 1066., to the death of King John, A. D. 1216.*

THOUGH the Norman conquest was not near so sanguinary as the Anglo-Saxon, it cannot be denied that it was productive of very important changes in the state of England, and particularly in its constitution, government, and laws, the subject of the present chapter. To prevent the repetition of the delineation that hath been already given in the third chapter of the preceding book, of those parts of the Anglo-Saxon constitution that were

Plan of  
this chap-  
ter.

still retained in this period; it is proposed to divide this chapter into two sections; and, in the first of these, to give a very brief account of the most considerable changes that were introduced by William I. into the constitution, government, and laws of England; and, in the second, to describe, with equal brevity, the successive alterations in all these, that were made by the other princes who reigned in this period. The laws of history will not admit into these sections those particular details, minute distinctions, and controversial disquisitions, that would be proper in a work on law and government; and I am fully determined that they shall not be swelled with unfriendly depreciating strictures on the labours of other writers.

### SECTION I.

*History of the changes in the Constitution, Government, and Laws of England, that were introduced in the reign of William I. from A. D. 1066. to A. D. 1087.*

Those in  
the lowest  
rank in so-  
ciety were  
slaves.

THE changes in the ranks and degrees of men in society, that were introduced into England at the Norman conquest, seem to have been rather nominal than real. Those who occupied the lowest rank, still continued in a state of slavery; and we have good reason to believe, that their numbers were rather increased than diminished.

diminished by that event. None of the Anglo-Saxon serfs, who were annexed to the lands which they cultivated, and had been usually transferred with them from one proprietor to another, could entertain the least hopes of obtaining freedom, or even a mitigation of their servitude, when these lands were bestowed on the enemies and conquerors of their nation<sup>1</sup>. On the contrary, many of the English, who had formerly been free, having been taken prisoners at the battle of Hastings, or in some of the subsequent revolts, were reduced to slavery; and thought themselves very happy if they preserved their lives, though they lost their freedom. The Norman conquerors for some time treated their English slaves with so much severity, that a contemporary writer declines giving any description of it, “because its inhuman cruelty would appear incredible to posterity.”<sup>2</sup>

The condition of all these unhappy people, in this period, was not equally abject and wretched. There were different degrees of servitude, and different kinds of slaves that were called by different names, viz. — 1. Villains in grofs, who were the personal property of their masters, and performed the lowest and most laborious offices about their masters houses<sup>3</sup>. This class of slaves seems to have been very numerous; for Roger Hoveden tells us, that from the reign of Wil-

Different  
kinds of  
slaves; as  
domestic  
slaves.

<sup>1</sup> Ingulph. Hist. sub fin. <sup>2</sup> Hist. Eliens. apud Gale, t. I. p. 116.  
<sup>3</sup> Sir Thomas Smith's Commonwealth of England, p. 123.

liam I. to his own time in the reign of King John, there was hardly a house or even cottage in Scotland, in which there was not to be found an English slave<sup>4</sup>. It is not to be imagined that their more opulent neighbours the Normans and English were worse provided than the Scots with domestic slaves. They had indeed such great numbers of them, that they exported and sold many of these unhappy persons in foreign countries.<sup>5</sup>

Predial  
slaves.

2. Villains regardant, or predial slaves, who lived in the country, and cultivated the lands of their masters, to which they were annexed<sup>6</sup>. These were in a better condition than domestic slaves, and had an imperfect kind of property in their houses and furniture, and in the little gardens and small pieces of ground which they were allowed to cultivate, at leisure times, for their own subsistence. But still their persons and properties were so much in the power of their masters, that they granted or sold them to whom they pleased<sup>7</sup>. These two formed a very numerous class of slaves, by whom the demesnes of all the earls, barons, bishops, abbots, and great men of England, were cultivated. The villains belonging to some of the richest abbeys amounted to two thousand.<sup>8</sup>

<sup>4</sup> R. Hoveden. Annal p. 260. col. 1.

<sup>5</sup> Girald. Cambren. Hibernia Expugnat. p. 770.

<sup>6</sup> Sir T. Smith, p. 123. <sup>7</sup> Ingulph. Hist. p. 520. col. 1.

<sup>8</sup> Walsingham Hist. Ang. p. 258.

3. Cottars (who in the barbarous Latin of Cottars.<sup>9</sup> those times were called *Cottarii*, because they dwelt in small huts or cottages, near to the mansions of their masters) composed another class of slaves frequently mentioned in Doomsday-book. They were such as, by the direction of their owners, had been instructed in some handicraft art or trade, as that of smiths, carpenters, &c. which they practised for the benefit of their masters, and were on the same footing in all respects with villains or predial slaves.<sup>9</sup>

4. Borders, in Latin *Bordarii*, frequently Borders. occur in Doomsday-book, as distinguished from villains and cottars; but in what respects they differed from them is not clearly ascertained. The most probable opinion seems to be, that they were a kind of upper domestic servants, who waited at table (then called *bord*), and performed other less ignoble offices in their masters houses, in which they did not reside, but in small huts of their own, to which little gardens and parcels of land were annexed, as the fee or reward of their services<sup>10</sup>. From this short and imperfect enumeration it is sufficiently evident, that a very great proportion of the people of England, in this period, were in a state of servitude, or rather in a state of slavery.

As all the children of slaves were by their Freed-men- birth in the same degrees of subjection to the same masters with their parents, this order of

<sup>9</sup> Spelman. Du Cange, in voc.

<sup>10</sup> Spelman Claff, in voc.

men must have increased exceedingly, if many of them had not from time to time obtained their freedom. This they did by various means, but chiefly by uncommon fidelity and diligence, which excited the gratitude of their masters, and engaged them to make them free<sup>11</sup>. The granting freedom to a certain number of slaves was sometimes enjoined by the clergy, and sometimes voluntarily performed by penitents, in order to obtain the pardon of their sins, and for the good of their souls. The ceremony of manumission was commonly performed at church, or at the county-court, when the master, taking his slave by the hand, declared that he made him free; after which he gave him a sword or spear, the arms of a freeman; and then commanding all the doors to be thrown open, allowed him to go where he pleased<sup>12</sup>. These freed-men possessed the same place in society in this period, that the free-lazen had possessed in the times of the Anglo-Saxons.

Description  
of  
those in  
the middle  
ranks in  
society.

The middle rank in society, that filled up the interval between the freed-men on the one hand, and the noblesse and baronage on the other, was chiefly composed of three different bodies of men, which had been formerly very distinct, but were now united. 1. Those Anglo-Saxon ceorls who had remained neuter in the quarrel between William and Harold, and had not joined in any

<sup>11</sup> Glanvill de Confuetudini Angliae, l.5. c.5.

<sup>12</sup> Leges Willielmi I. l.65. Henrici I. l.78, &c.

of the subsequent revolts, and were therefore allowed to retain their rank as well as their possessions, though, for their own greater security, they generally put themselves under the protection of some great Norman baron, and became his *socmen*. 2. Those Anglo-Saxon thanes and noblemen who were degraded from their former rank, and divested of all power, but permitted to retain a part of their possessions, under the protection of their conquerors. The number of these degraded nobles was not inconsiderable; for before the end of the reign of William I. there was hardly so much as one Englishman who was either earl, baron, bishop, or abbot<sup>13</sup>; and for more than a century after, to be an Englishman was an effectual exclusion from all preferment<sup>14</sup>. 3. Those Frenchmen, Normans, and others, who fought under their several leaders in the conquest of England, and afterwards settled on the demesne lands of those leaders, and became their farmers, *socmen*, and smaller vassals. All these different kinds of people were by degrees blended together, and formed a body, from which the yeomanry and many of the gentry of England are descended. The inhabitants of towns and cities were generally of this middle rank.

The Norman barons formed the highest order of the state, and occupied the same place in society after the conquest, that the Anglo-Saxon

*Norman nobility.*

<sup>13</sup> Ingulphi Hist.

<sup>14</sup> Eadmer, p. 94. 110.

thanes had possessed before that æra, and the nobility and principal gentry of England now possess<sup>15</sup>. They were a numerous, opulent, and powerful body of men, and (when taken in the most extensive sense) comprehended all the considerable proprietors of land in England, especially all those who held immediately of the king *in capite* by military services. The lesser barons were frequently called *vavasors*, and corresponded to the lesser Anglo-Saxon thanes, and to the modern English gentlemen of ancient families and large estates<sup>16</sup>. But barons, in this period, most properly were the greater or king's barons; who held immediately of the king an entire barony, consisting of thirteen knight's fees, and the third part of a knight's fee, yielding an annual revenue of £266 : 13 : 4, or 400 marks<sup>17</sup>: an ample fortune in the times we are now considering. Those who held such baronies were the spiritual and temporal lords of the kingdom, who enjoyed many singular privileges and immunities, and in their own territories were a kind of petty princes (too often tyrants), possessing both civil and military jurisdiction over their vassals<sup>18</sup>. But we shall meet with a more convenient opportunity of considering the civil authority and military power of the Norman barons.

**Great changes in the cir-** Though the accession of William Duke of Normandy to the throne of England produced no

<sup>15</sup> See vol. 3. p. 329.

<sup>16</sup> Selden's Titles of Honour, p. 518.

<sup>17</sup> Vid. Spelman. Du Cange Gloss. in voc. *Baro, Baronia*.

<sup>18</sup> Id. ibid.

very

very remarkable alteration in the ranks and orders of men in society ; it produced many important changes in their political circumstances, — in the tenures by which they held their lands, — the services and prestations to which they were subjected, — the magistrates by whom they were governed, — the courts in which they were judged, — and the laws they were obliged to obey. These changes were chiefly owing to the establishment of the feudal system of police and government in England by William I., in the same state of maturity to which it had then attained in his dominions on the continent.

In the Anglo-Saxon times, all the proprietors of land (the clergy at last excepted) were subjected to the three following obligations, commonly called the *trinoda necessitas*: — 1. To attend the king with their followers in military expeditions; — 2. To assist in building and defending the royal castles; — 3. To keep the highways and bridges in a proper state<sup>19</sup>. To these three obligations a fourth, called a *heriot*, was added, by the laws of Canute the Great; which consisted in delivering to the king the horses and arms of his earls and thanes at their death, with certain sums of money, according to their rank and wealth<sup>20</sup>. That these may be called feudal prestations, and considered as a proof that the feudal form of goverment was not altogether

The feudal  
system of  
govern-  
ment not  
altogether  
unknown  
before the  
conquest.

<sup>19</sup> Hickeſſi Diſſerat. Epistol. p. 60. Reliquiæ Spelman. p. 22.

<sup>20</sup> Wilkins Leges Saxon.

unknown to the Anglo-Saxons, need not be disputed but to these William I. added so many others, which shall be presently described, that he may be justly said to have completed, if not to have erected, the fabric of the feudal government in Britain.

The conquest a favourable opportunity for establishing the feudal system.

The sovereign of a feudal state was, in idea at least, the proprietor of all the lands in his dominions<sup>21</sup>. Part of these lands he retained in his own possession for the maintenance of his family and support of his dignity; the rest he granted to certain of his subjects, as benefices or fees for services to be performed by them, and on such other conditions as he thought proper to require, and they to accept. By the numerous forfeitures after the battle of Hastings, and the subsequent revolts, and by the abject state to which even those of the English who had not forfeited were reduced, the idea of a feudal sovereign was almost realized in William I. and he beheld a very great proportion of the lands in England at his disposal, which enabled him to establish the feudal system of government in its full extent, with little or no difficulty. Nor did he neglect this favourable opportunity of introducing into his new dominions that form of government, to which he and his followers had been long accustomed, and which was so well adapted to preserve that important acquisition he had made.<sup>22</sup>

<sup>21</sup> Somner on Gavelkind, p. 109. Smith de Republic. l. 3. c. 10.

<sup>22</sup> Coke on Lit. p. 1, 2. ad Sect. 1. Craig de Feudis, l. 1. c. 7.

William

William I. in the distribution of the territory of England, was not unmindful of the interests of the crown ; but retained in his own possession no fewer than 1422 manors, besides a great number of forests, parks, chaces, farms, and houses, in all parts of the kingdom<sup>23</sup>. As the hopes of obtaining splendid establishments for themselves and followers had engaged many powerful barons, and even some sovereign princes, to embark with him in his dangerous expedition, he was induced, both by the dictates of honour and prudence, to gratify their expectations by very liberal grants of lands. To Hugh de Abencis, his sister's son, he granted the whole county of Chester ; — to Robert Earl of Mortaigne, and Odo Bishop of Bayeux, his two uterine brothers, he gave, to the former 973 manors, to the latter 439 ; — to Allen Earl of Britanny 442, — to William de Warrenne 298, — to Geoffrey Bishop of Coutance 280, — to Roger Bigod 123, — to Walter Giffard 107, — to Richard de Clare 171, — to William de Percy 119, — and to all his other chieftains according to the different degrees of their power, their services, and their favour.<sup>24</sup>

None of the grants of land made by William I. were unconditional, but to all of them a great variety of obligations was annexed. These obligations were of two kinds, viz. 1. Services, which contributed to the splendour of the sove-

William I.  
made very  
liberal  
grants of  
land to his  
barons.

Obliga-  
tions an-  
nexed to  
these  
grants.

<sup>23</sup> Doomsday-book passim.

<sup>24</sup> Id. ibid. Dugdale's Baronage, vol. i. p. 60—269.

reign,

reign, and security of the kingdom ; 2. Prestations of various kinds, which constituted a considerable part of the royal revenue.

Military services,  
&c.

1. The services which contributed to the splendour of the sovereign, and security of the kingdom, to be performed by the immediate vassals of the crown, were chiefly these three : 1. Homage and fealty. 2. Personal attendance upon the king in his court at the three great festivals of Christmas, Easter, and Whitsuntide, and in his parliament, at other times, when regularly called. 3. Military services in the field, or in the defence of castles for a certain time, with a certain number of men, according to the extent of their estates. By these three things the sovereign of a feudal kingdom was secured, as far as human policy could secure him,—in a splendid court for his honour,—a numerous council for giving him advice in the arduous affairs of government,—and a powerful army for the defence of his person and dominions.

Pecuniary  
prestations.

2. The payments or prestations to which the immediate vassals of the crown were subjected, and which constituted a considerable part of the royal revenue, were chiefly these six : 1. Reserved rents. 2. Wardships. 3. On marriages. 4. Reliefs. 5. Scutages. 6. Aids. It is necessary to give a very brief delineation of each of the above services and prestations.

Homage.

The sovereign of a feudal kingdom never appeared in greater glory than when he received the

the homage of his immediate vassals, in his great court of parliament. Seated on his throne, in his royal robes, with his crown on his head, and surrounded by his spiritual and temporal nobles, he beheld his greatest prelates and most powerful barons, uncovered and unarmed, on their knees before him. In that humble posture they put both their hands between his, and solemnly promised, “to be his liege-men of life and limb and worldly worship, to bear faith and troth to him, to live and die with him against all manner of men.”<sup>25</sup>

2. The courts of the Anglo-Norman kings were at all times very splendid, but more especially at the three great festivals of Christmas, Easter, and Whitsuntide, when all the prelates, earls, and barons of the kingdom were, by their tenures, obliged to attend their sovereign, to assist in the celebration of these festivals,—in the administration of justice,—and in deliberating on the great affairs of the kingdom. On these occasions the king wore his crown, and feasted his nobles in the great hall of his palace, and made them presents of robes, &c. as marks of his royal favour; after which they proceeded to business, which consisted partly in determining important causes, and partly in deliberating on public affairs.

Personal  
attendance  
in the  
king's  
court.

<sup>25</sup> Spelman, Du Cange, in voc. *Homagium, Ligium*. Littleton, sect. 85. Bracton, l. 2. c. 35. Glanville, l. 9. c. 1. Fleta, l. 3. c. 16.

<sup>26</sup> Du Cange, voc. *Curia*. Craig de Feudis, l. 2. c. 11.

Military  
service.

3. Military service was the greatest and most important obligation annexed to the grants of lands made by William I. and other feudal sovereigns, whose chief intention was, in making these grants, to secure a sufficient body of troops under proper leaders, well armed, and always ready to take the field, for the defence of the kingdom and the prosecution of such wars as were thought necessary for the honour of the prince and the prosperity of the state<sup>27</sup>. These lands, so granted, may very well be considered as the daily pay of a certain number of troops which the persons to whom they were granted were obliged to keep in constant readiness for service; and therefore the number of knights fees or stipends which every state comprehended was carefully ascertained. To add still further to the strength and security of the kingdom, William I. subjected the lands of spiritual barons as archbishops, bishops, abbots, and priors, to the same military services with the lands of temporal barons and knights<sup>28</sup>. From the famous survey of England, made by the direction of this great prince, and recorded in Doomsday book, it was found, that the whole kingdom contained 60,215 knights fees, of which no fewer than 28,115 belonged to the church.<sup>29</sup>

It is now time to take a very short view of those prestations to which the immediate vassals

<sup>27</sup> Coke Instit. 4. p. 192.

<sup>28</sup> M. Paris, p. 5. col. 1. ann. 1070.

<sup>29</sup> Spelman. Gloss. voc. *Feodum*. *Dissertat. de Militi*, p. 184. Craig de Feudis, l. 2. c. II.

of the crown of England were at this time subjected, and which constituted a considerable part of the royal revenue.

1. Though William I. and other feudal sovereigns, made large grants of lands to their nobility, clergy, and other vassals, they did not relinquish all connection with and interest in these lands. On the contrary, they granted only the right of using these lands on certain conditions, still retaining the property, or *dominium directum*, in themselves: and to put their vassals constantly in mind of this circumstance, they always reserved certain annual payments (commonly very trifling) that were collected by the sheriffs of the counties where the lands lay.<sup>30</sup>

Reserved  
Rents.

2. When an earl, baron, or other vassal of the crown, died, and left his heir under age, and consequently incapable of performing those personal services to his sovereign to which he was bound by his tenure, the king took possession of his estate; that he might therewith support the heir, and give him an education suitable to his quality, and at the same time might provide another person to perform his services in his room. This right of being the guardians of all minors, male or female, who held their lands of the crown by military services, brought considerable profits into the royal coffers, or enabled the

<sup>30</sup> Madox, Hist. Excheq. c. 10. Craig. de Feud. l. 1. c. 9.

prince to enrich his favourites, by granting them the guardianship of some of his most opulent wards.<sup>31</sup>

**Marriage.**

3. The king's female wards could not marry any person, however agreeable to themselves and their relations, without the consent of their royal guardian; that they might not have it in their power to bestow an estate that had been derived from the crown on one who was disagreeable to the sovereign<sup>32</sup>. This was a cruel and ignominious servitude, by which heiresses of the greatest families and most opulent fortunes were exposed to sale, or obliged to purchase the liberty of disposing of themselves in marriage by great sums of money, either from the king, or from some greedy courtier, to whom he had granted or sold their marriage<sup>33</sup>. No less a sum than ten thousand marks, equal in efficacy to one hundred thousand pounds of our money at present, was paid to the king for the wardship and marriage of a single heiress<sup>34</sup>. This cruel servitude was afterwards extended to male heirs.

**Relief.**

4. The king had not only the guardianship and marriage of the heirs of all his immediate vassals, but he demanded and obtained a sum of money from them when they came of age, and were admitted to the possession of their estates; and also from

<sup>31</sup> Craig de Feud. l. 2. c. 2. Spelman Reliquiae, p. 25. Gloss. voc. *Warda*. Madox, Hist. Excheq. c. 10. sect. 4. Glanvil, l. 7. c. 9.

<sup>32</sup> Du Cangé, voc. *Maritagium*. Glanvil, l. 7. c. 9.

<sup>33</sup> Madox, Hist. Excheq. c. 10. sect. 4.

<sup>34</sup> Id. Ibid.

those

those heirs who had been of age at the death of their ancestors. This last was called relief, because it relieved their lands out of the hands of their sovereign, into which they fell at the death of every possessor<sup>35</sup>. Reliefs were at first arbitrary and uncertain, and of consequence the occasion of much oppression. They were afterwards fixed at the rate of one hundred shillings for a knight's fee, one hundred marks for a baron, and one hundred pounds for an earldom, which was supposed to be about the fourth part of the annual value of each.<sup>36</sup>

5. Scutage, or shield-money, was another <sup>Scutage.</sup> prestation to which the military vassals of the crown, both of the clergy and laity, were subjected. It was a sum of money paid in lieu of actual service in the field, by those who were not able or were not willing to perform that service in person, or to provide another to perform it in their room. The rate of this commutation was not always the same, but most commonly it was two marks for every knight's fee, though sometimes it was only twenty shillings, and at other times three marks, or two marks and a half<sup>37</sup>. This payment became the occasion of much vexation to those who owed military service to the crown; because our monarchs sometimes engaged, or pretended to

<sup>35</sup> Glanvil, l. 9. c. 4.

<sup>36</sup> Du Cange, voc. *Relevium*, Madox Hist. Excheq. c. 10. sect. 4.

<sup>37</sup> Du Cange, voc. *Scutagium*.

engage, in expeditions into distant parts, or at inconvenient seasons, that they might have a pretence for demanding scutage from their vassals.<sup>38</sup>

## Aids.

6. Besides all the above payments, the immediate vassals of the crown, who were presumed to be possessed of much affection and gratitude to their sovereign for the favours they had received from him, granted, or rather complied with the demand of certain pecuniary aids, on some great occasions, when he stood in particular need of their assistance. The occasions on which those aids were demanded and granted, were these three: 1. To make his eldest son a knight; 2. To marry his eldest daughter; 3. To ransom his person when he was taken prisoner in war. The rate of these aids was also unsettled; but it seems to have been most frequently one mark, or one pound, for every knight's fee.<sup>39</sup>

## Subinfeudation.

There is sufficient evidence, that all these services and prestations, so troublesome in themselves, and so liable to be rendered oppressive and intolerable, were brought from Normandy, and imposed by William I. on the leaders of his victorious army, to whom he granted great estates in England. But these were far from

<sup>38</sup> Du Cange, voc. *Scutagium*. Madox Hist. Excheq. c. 16.

<sup>39</sup> Spelman. Du Cange, Gloss. voc. *Auxilium*. Madox Hist. Excheq. c. 15. Glanvil, l. 9. c. 8.

being the only persons who felt the weight of those feudal servitudes. For the Norman and other barons, who received extensive tracts of land, imitated the example of their sovereign in the disposal of these lands. They retained part of them lying contiguous to their castles in their own possession, which were called their demesnes; and the rest they granted to their followers, who had fought under their banners, on terms exactly similar to those on which they had received them from the crown. The vassals of every baron did him homage, with a reservation of their homage to the king, which was sometimes not much regarded.—They gave personal attendance in his court at stated times, or when regularly called.—They followed him into the field with a certain number of troops, according to the quantity of land they had received.—They paid him certain reserved rents.—Their heirs were his wards when under age.—They could not marry without his consent.—They gave him a relief when they obtained possession of their estates;—and aids for making his eldest son a knight, for marrying his eldest daughter, and for redeeming his person from captivity. In a word, a feudal baron was a king in miniature, and a barony was a little kingdom. Even the vassals of barons sometimes granted subinfeudations, but always exactly on the same plan. By this means all the distressful servitudes of the feudal system descended from the sovereign to the meanest possessor of land by

military tenure, becoming heavier as they descended lower.<sup>40</sup>

*Socmen.* It is true that those possessors of land who were called *socmen*, because (as many think) they followed the *soc* or plough, were not subjected to some of the most vexatious of those feudal servitudes, as personal attendance, wardship, marriage, &c. But this seems to have been owing to the contemptible light in which they were viewed by their sovereign and his haughty martial barons, who would not admit them into their courts and company; and considered the education and marriage of their heirs as matters of small importance, and unworthy of their attention. Nor were many of these *socmen* more free and happy than the military vassals of the king and barons. On the contrary, they were subjected to lower and more laborious servitudes, as furnishing men, horses, and carriages, on various occasions; ploughing and sowing the lands of their lords, &c.<sup>41</sup> In a word, the feudal system of tenures established by William I. in England, was productive of universal distress and servitude; from which even those of the highest ranks were not

<sup>40</sup> Spelman. Du Cange, Gloss. voc. *Baro, Feodum, Curia, Homagium, Warda, Maritagium, Relevium, Uxilium.*

<sup>41</sup> Spelman. Du Cange, voc. *Socmannus.* The opinion of one of the most learned writers on the law of England,—that tenures called *free socage*, were the relics of the allodial tenures of the Anglo-Saxons, is not disputed. We have no reason to be surprised, that a few small estates escaped the rapacity of the Normans. Judge Blackstone's Comment. b. 2. c. 6. p. 81.

exempted,

exempted, though they were most severely felt by the lower orders in the state.

It hath been the subject of much dispute, when, by whom, and in what manner, the feudal system of government was introduced into Scotland. It would be improper to revive this unimportant controversy, by repeating the sentiments of different authors, and their arguments in support of these sentiments. Upon the whole, it seems to be most probable, that Malcolm III., surnamed *Canmore*, began the introduction of this system into his dominions, in imitation of his neighbour and contemporary, William I. of England; and that his plan was prosecuted by his successors, as opportunities offered, until it came to be universally established.<sup>42</sup>

Introduction of the  
feudal system into  
Scotland.

The introduction of the feudal system was productive of several other changes in police and government, particularly in courts and magistrates.

Nothing could be more regular, or more admirably adapted to the speedy, easy, and effectual administration of justice, to persons of all ranks, than the constitution of the Anglo-Saxon courts<sup>43</sup>. But this beautiful fabric was not respected by the Norman conquerors. For though they did not pull it down by violence, they suffered it to fall into ruins by neglect, and the establishment of other courts.

<sup>42</sup> See Essays on British Antiquities, Essay 1. Sir David Dalrymple's Annals of Scotland, p. 30, 31, 32.

<sup>43</sup> See vol. 3. c. 3. § 2.

Courts.

In all feudal kingdoms there were three kinds of persons that bore the chief sway, both in peace and war, viz. barons in their baronies, earls in their counties, and kings in their kingdoms. In consequence of this there were three kinds of courts of chief consideration—the baron's court,—the earl's court,—and the king's court.

Baron's court.

In the feudal times, every barony (as hath been already observed) was a little kingdom, and every baron was a petty king; the commander of all the tenants in his barony (who might not improperly be called his subjects) in time of war, and their judge in time of peace. In his court, which was commonly held in the great hall of his castle, and to which all the tenants of his barony owed suit and service, he administered justice to his people, in person or by his bailiff; not only compelling the payment of debts and the performance of contracts, but also redressing wrongs and punishing crimes even with capital punishments. Archbishops, bishops, abbots, and priors, who held baronies of the crown, had their courts of the same kind with the secular barons. Even the barons of barons, or those who held manors by military service of the king's barons, had similar courts within their respective manors, but commonly without the privilege of pit and gallows, *i. e.* the power of inflicting capital punishments.<sup>44</sup>

<sup>44</sup> Spelman. Du Cange, Gloss. voc. *Barones, Baronia, Furea.* — Regiam Majestatem. Glanvil. Bracton. Fleta.

The title of *earl* before the conquest, and for some time after, was not merely honorary, but official. There was but one earl in every county, who was properly its governor, the general of its forces in times of war, and its chief justiciary or judge in times of peace. The court in which the earl presided, was the county-court; and as a reward or salary for acting in his judicial capacity, he received the third penny of all the dues, amerciaments, and profits, arising in that court<sup>45</sup>. This in the Anglo-Saxon times, and even during some part of the reign of William I., was a court of great power and dignity, in which the bishop of the diocese sat with the earl, and on which all the abbots, priors, barons, knights, and freeholders of the county, were obliged to attend. In this little parliament all the controversies arising in the county, the most important not excepted, were determined, though not always finally, because there lay an appeal from its decrees to a higher court, which shall presently be described. In a county-court of Kent, held in the reign of William I. at Pinendine, there were present one archbishop, three bishops, the earl of the county, the vice-earl or sheriff, a great number of the king's barons, besides a still greater multitude of knights and freeholders, who in the course of three days adjudged several manors to belong to the archbishopric of Canterbury, which had been possessed for some time by

<sup>45</sup> Selden's Titles of Honour, p. 526, &c.

Odo, Bishop of Baieux, the King's uterine brother, and by other powerful barons.<sup>46</sup>

Separation  
of the  
ecclesiasti-  
cal from  
the civil  
part of  
county-  
courts,  
which oc-  
casioned  
their de-  
cline.

But the county-courts did not continue long after the conquest in this state of power and splendour. For William I., about A. D. 1085., separated the ecclesiastical from the civil part of these courts, prohibiting the bishops to sit as judges, the clergy to attend as suitors, and the causes of the church to be tried in them, but in courts of their own<sup>47</sup>. By this regulation, which is said to have been made in a common council of the archbishops, bishops, abbots, and chief men of the kingdom, the county-courts were deprived, at one blow, of their most venerable judges, their most respectable suitors, and most important business. Besides this, after the departure of the bishops and clergy, the earls disdained to sit as judges, and the great barons to attend as suitors in the county-courts; which by degrees reduced them to their present state. But this was not the worst effect of this most imprudent and pernicious regulation. For by it the kingdom was split asunder; the crown and mitre were set at variance, and the ecclesiastical courts, by putting themselves under the immediate protection of the pope, formed the clergy into a separate state under a foreign sovereign, which was productive of infinite mischiefs and disorders.<sup>48</sup>

<sup>46</sup> Dugdale Origines Juridiciales, p. 30. Hickeſii Diſſerat. Epif-  
tol. p. 31, &c.

<sup>47</sup> Wilkin. Conſilia, l. 1. p. 368, 369. Hale's History of the Com-  
mon Law, p. 102. <sup>48</sup> Judge Blackſtone's Comment. b. 3. c. 5.

The

The ecclesiastical courts, that were immediately erected in consequence of this fatal statute, were these three: 1. The archdeacon's court. For as the archdeacon was by that statute discharged from sitting as a judge with the hundredary in the hundred court, he was authorised to erect a court of his own, in which he took cognizance of ecclesiastical causes within his archdeaconry. 2. The bishop's court, or consistory, which received appeals from the archdeacon's court, and whose jurisdiction extended over the whole diocese. 3. The archbishop's court, which received appeals from the consistories of the several bishops of the province, and had jurisdiction not only over the particular diocese of the archbishop, but over all the diocesses in the province. From this highest ecclesiastical court appeals lay to the pope, which soon became very frequent, vexatious, and expensive.<sup>49</sup>

As the king was the chief magistrate of the kingdom, and it was both his duty and prerogative to administer justice to his subjects, he had a court which was the chief court of the kingdom in which he performed that duty and exercised that prerogative<sup>50</sup>. This supreme court was commonly called, *curia* or *aula regis*, because it was held in the great hall of the king's palace, wherever he happened to reside<sup>51</sup>. In

King's  
court.

<sup>49</sup> Judge Blackstone's Comment. b. 3. c. 5.

<sup>50</sup> Madox Hist. Excheq. c. 3. p. 58.

<sup>51</sup> Bracton, l. 3. c. 7. Glanvil. de Consuetud. Angliae, passim.

this

this court the king was presumed to be always present, either in person, or by his representatives, the judges of his court, to whom he committed the performance of his duty, and the exercise of his prerogative as the supreme judge in his kingdom. The judges in the king's court, as it was constituted by William I. and continued till near the end of this period, were,—the great officers of the crown,—the king's justices,—together with all the great barons of the kingdom, both temporal and spiritual, who were entitled to seats in this court.<sup>52</sup>

**Great officers of the crown.**

The great officers of the crown, who were also the leading members of the king's court, were these seven: 1. The chief justiciary, who was an officer of the highest dignity and greatest power, the president of the king's court when the prince was not personally present, and regent of the kingdom when the sovereign was beyond seas, which in this period very frequently happened. 2. The constable of England. 3. The marischal of England, who were both military and civil officers: when acting in their civil capacity, as members of the king's court, their jurisdiction chiefly respected matters of honour and of arms. 4. The high steward of England. 5. The great chamberlain of England. These two great officers had the chief direction of all things in the king's court and palace. The four

<sup>52</sup> Madox Hist. Excheq. c. 2. c. 3. p. 64. Blackst. Comment. b. 3. c. 4.

last named offices were for the most part hereditary. 6. The chancellor of England, who had the custody of the great seal, and the inspection of all grants to which it was appended. 7. The high treasurer, who had the chief direction of all things respecting the royal revenues.<sup>53</sup>

The king's justices were persons learned in the laws, who had seats in the supreme court, in order to inform the other members what the law of the land was in every case. This great court was divided into several chambers, and certain judges sat in each of these chambers, at particular times, to take cognizance of those matters with which they were best acquainted, and in which they were most interested. Of these chambers the exchequer (so called from a chequered cloth which covered the table) was one, in which the high treasurer and certain barons sat, and regulated all things respecting the revenues of the crown.<sup>54</sup>

The jurisdiction of the king's court was universal, extending to all parts of the kingdom, and over all the subjects of it, till the clergy, after long and violent struggles, emancipated themselves in a great measure from its authority<sup>55</sup>. As the Normans were remarkably fond of pomp, some of the sessions of this august tribunal, particularly those at the festivals of Christmas, Easter, and Whitsuntide, were attended with much pa-

Division of  
the king's  
court.

Jurisdi-  
ction and  
splendour  
of the  
king's  
court.

<sup>53</sup> Madox Hist. Excheq. c. 3.

<sup>54</sup> Dialogus de Scaccario.

<sup>55</sup> Madox Hist. Excheq. c. 3.

rade and show. The king, on these occasions, wore his crown and royal robes; the great officers of state appeared with the ensigns of their respective offices; and all the spiritual and temporal barons, in their richest ornaments. At these ceremonies and magnificent meetings, the ambassadors of foreign princes were introduced, that they might be struck with admiration at the opulence and grandeur of the king and kingdom<sup>56</sup>. To these stated meetings all the members of the king's court came of course, without any summons<sup>57</sup>. In this, and in several other respects, they differed from the common councils of the kingdom.<sup>58</sup>

Parlia-  
ments.

Though the powers of this supreme court were great and various, they were all ministerial and executive, and did not extend to the making new laws or imposing new taxes. These two most important branches of police and government belonged to another assembly, that was called (*commune concilium*, or *magnum concilium regni*) the common council, or great council of the kingdom; and sometimes, though very seldom in this period, (*parliamentum*) parliament, from the French word *parler*, to speak.

Who were  
the consti-  
tuent  
members

Who were the constituent members of the great councils or parliaments of this period, is a question that hath been differently answered, and

<sup>56</sup> W. Malmf. l.3. p.63.

<sup>57</sup> Eadmer, p.15.

<sup>58</sup> Hen. Hunt. l.8. p.222.

warmly

warmly agitated<sup>59</sup>. Though the nature and limits of this work will not admit of a full discussion of this question (at present of no great importance), yet a plain and short exposition of what appears to be the truth is necessary. That all archbishops, bishops, abbots, priors, earls, and barons, who held each an entire barony immediately of the king *in capite*, were constituent members of these great councils, hath never been denied, and needs not be proved. Besides these great spiritual and temporal barons, there were many others, who held smaller portions of land, as one, two, three, or four knights' fees, immediately of the king, by the same honourable tenure with the great barons, who were also members of the great councils of the kingdom, and were commonly called the lesser barons, or free military tenants of the crown. Among many evidences that might easily be produced of this, the fourteenth article of the great charter of King John is one of the most decisive, and seems to be sufficient: "To have a common council of the kingdom, to assess an aid otherwise than in the three forefaid cases, or to assess a scutage<sup>60</sup>, we will cause to be summoned the archbishops, bishops, earls, and

<sup>59</sup> Petyt's Rights of the Commons asserted. Jane Anglorum Facies nova. Dr. Brady's Tracts, &c. &c.

<sup>60</sup> These three forefaid cases were, 1. To make his eldest son a knight; 2. To marry his eldest daughter; 3. To redeem his own person. In all which cases aids were due by tenure, without an act of parliament.

" greater

" greater barons, particularly by our letters ;  
 " and besides, we will cause to be summoned  
 " in general by our sheriffs and bailiffs, all  
 " those who hold of us *in capite*"<sup>61</sup>. The lesser barons continued to sit personally in the parliaments of Scotland till A.D. 1427., when an act was made exempting them from personal attendance in parliament, on condition of sending representatives<sup>62</sup>. But besides all these great and small barons, who by virtue of their tenures were obliged, as well as intitled, to sit as members in the great councils of the kingdom ; our historians of this period sometimes speak of great multitudes of people, both of the clergy and laity, who were present in some of these councils<sup>63</sup>. Eadmerus, the friend and secretary of Archbishop Anselm, thus describes the persons assembled in a great council at Rockingham, A.D. 1095., to whom his patron made a speech. " Anselm spoke in this manner " to the bishops, abbots, and princes, or principal men, and to a numerous multitude of " monks, clerks, and laymen standing by"<sup>64</sup>."

<sup>61</sup> Ad habendum commune consilium regni, de auxilio assidendo, aliter quam in tribus casibus predictis, vel de scutagio assedendo, summoniri faciemus archiepiscopos, episcopos, abbates, comites, et maiores barones sigillatim, per literas nostras : et præterea faciemus summoniri in generali, per vicecomites et balivos nostros, omnes illos qui de nobis tenent in capite. Append. No. x.

<sup>62</sup> Essays on British Antiquities, p. 43.

<sup>63</sup> Spelman. Concil. l. 2. p. 33.

<sup>64</sup> Assistentem, monachorum, clericorum, laicorum, numero fam multitudinem. Eadmeri Hist. p. 26.

By the bishops, abbots, and princes, we are certainly to understand the spiritual and temporal barons. But who are we to understand by “the numerous multitudes of monks, clerks, and ‘laynen standing by?’” Were they members of this assembly; or were they only spectators and by-standers? If by the multitude of these clerks and laymen, the historian did not mean the lesser barons, it is highly probable that they were only spectators. We are told by several contemporary historians, that the great councils of the kingdom in those times were very much incommoded by crowds of spectators, who forced their way into their meetings. One of these historians thus describes a great council held by King Stephen: “The King, by an edict published through England, called the rulers of the churches, and the chiefs of the people, to a council at London. All these coming thither, as into one receptacle, and the pillars of the churches being seated, in order, and the vulgar also forcing themselves in on all hands, confusedly and promiscuously, as usual, many things were usefully proposed, and happily transacted, for the benefit of the church and kingdom.” In a great council

<sup>65</sup> Edicto per Angliam promulgato, summos ecclesiarum ductores, cum primis populi, ad consilium Londonias concivit. Illis quoque, quasi in unam sentinam, illuc confluentibus, ecclesiarumque columnis sedendi ordine dispositis, vulgo etiam confuse et permixtum, ut solet, ubique se ingerentes, plura ecclesiæ et regno profutura fuerunt, et utiliter ostensa, et salubriter pertractata.

Gesta Stephani Regis, apud Duchine, p. 932.

held

held at Westminster, May 18th, A.D. 1127., the spectators, who are said to have been innumerable, were so outrageous, that they interrupted the business of the council, and prevented some things from being debated<sup>66</sup>. Upon the whole, it seems to be almost certain, that though great numbers of people of all ranks, prompted by political curiosity, or interested in the affairs that were to be debated, attended the great councils of the kingdom in this period, none were properly members of these councils but those described in the great charter of King John, viz. the spiritual and temporal barons, who were personally summoned; and those who held smaller parcels of land than baronies, immediately of the king, by knight's service, who were summoned edictally by the sheriffs of their respective counties.

Great power of the crown.

Besides all the prerogatives that had been enjoyed by his predecessors the Anglo-Saxon and Danish kings of England, William I. acquired a great addition of power by the introduction of the feudal system, which made him the territorial lord as well as sovereign of his greatest subjects. But the greatness of some of these subjects, together with their extensive influence over their vassals and tenants, fortunately formed a kind of counterpoise to the exorbitant power of the crown, prevented it from becoming, or at least from continuing arbitrary; and at length, by

<sup>66</sup> Spelman. Concil. l. 2. p. 35.

flow degrees, and many struggles (which form the most interesting parts of our history), reduced it within proper limits. All the historians of this period are full of the most bitter complaints of the tyranny of William I. and of his son and successor William II., representing them as acting on many occasions in the most despotic manner, with little or no regard to law, justice, or humanity<sup>67</sup>. "None of his bishops, " abbots, or great men (says Eadmerus of William I.), dared to disobey his will on any consideration; but all things divine and human depended upon his nod." "Whoever (says Henry of Huntingdon, speaking of the same prince) desired to enjoy money, lands, or even life itself, was under a necessity of obeying the king's nod in all things. Alas! how much is it to be lamented, that any man, who is but a worm and dust, should forget death, and arrive at such a height of pride as to trample on all the rest of mankind"<sup>68</sup>!" Of the ferocity and tyranny of his son and successor William II. the historians of those times speak in still stronger terms. "He was more fierce (says one of them) than human nature seemed to be capable of. By the advice of

<sup>67</sup> Eadmeri Hist. p. 6. 83. 94. M. Paris, p. 4. col. 1. M. Westmonst. l. 2. p. 3. W. Malmsf. l. 3. Simon Dun. p. 206. Brompt. 962. Ingulph. p. 516. G. Neubrigen. p. 357. Alurid. Beverlien, p. 124. Hen. Hunt. p. 213. col. 1. Anglia Sacra, l. 2. p. 413. Anglica Normanica Camdeni, p. 32.

<sup>68</sup> Hen. Hunt. l. 6. p. 213. col. 1.

“ the worst men, which he always followed, he  
“ harassed his neighbours with war, and his own  
“ subjects with armies and taxes; and England  
“ was so miserably oppressed that it was brought  
“ to the very brink of ruin.”<sup>69</sup>

**Great revenues of the crown.**

The great revenues of these princes contributed not a little to increase their pride, and support their power; especially as these revenues were for the most part considered as their undoubted property, and did not depend on the generosity or good-will of their subjects. Besides all the revenues arising from the royal demesnes, and from the rents, aids, wardships, marriages, and scutages of all the immediate vassals of the crown, which have been already mentioned; money flowed into the coffers of the first Norman kings of England, from all the following sources, escheats, vacancies, tallages, taxes, tolls, customs, oblations, amerciaments, moneyage, farms of counties, cities, towns, and corporations, queen-gold, impositions of various kinds upon the Jews, &c. &c.

**Escheats and forfeitures.**

Escheats and forfeitures formed a great branch of the royal revenue in those turbulent times, when civil broils were frequent, when estates escheated into the king's hands on the failure of lineal descendants from the persons to whom they had been granted, and when the immediate vassals of the crown forfeited their lands, not only for treason against the king as sovereign

<sup>69</sup> Hen. Hunt. l. 7. p. 217. col. 1.

of the state, but for various offences against him as their feudal lord,—such as, declining to do him homage,—to swear fealty— to attend his court,—to serve him in the field,—for betraying his secrets,—abetting his enemies,—affronting his person,—debauching his wife, his daughters, or near relations,—and, in a word, for doing any thing that made them unworthy of being the companions of their superior lord, the members of his court, and the peers of his other barons<sup>70</sup>. These escheats and forfeitures formed so capital a part of the royal revenue, that a particular court or office, called the *escheatry*, was erected for the management of them.<sup>71</sup>

When an archbishopric, bishopric, abbey, or priory of royal foundation, became vacant, the temporalities were seized and enjoyed by the king during the vacancy. This, it is probable, was intended to correspond to the profits arising from the wardship of the temporal barons, and in some reigns, when many of the richest fees were kept vacant several years, it must have made a great addition to the revenues of the crown.<sup>72</sup>

The kings of England, in this period, were not always contented with the ordinary annual rents which they received from the cities, towns, socmen, and tenants of their demesnes, and of the escheats and forfeitures in their hands; but

Ecclesiastical vacancies.

<sup>70</sup> Lib. Feud. l. 1. tit. 21. l. 4. tit. 21. l. 39. 44. &c. Craig. de Feud. l. 3. passim.

<sup>71</sup> Madox Hist. Excheq. c. 10. p. 20. <sup>72</sup> Id. ibid. p. 207. &c.

on some occasions they exacted certain extraordinary payments, called *tallages*, or *cuttings*, from the French word *tailler*, to cut; because by them a certain proportion of the goods of these cities, towns, socmen, and tenants, as a tenth, a fifteenth, a twentieth, or thirtieth part, was cut off and appropriated to the king's use<sup>73</sup>. As neither the frequency nor the quantity of these tallages were ascertained in the former part of this period, they became the occasion of great oppression to the subjects, and a source of much treasure to the crown.<sup>74</sup>

## Taxes.

The ignominious tax called *danegild*, though the reason for which it had been imposed no longer existed, continued to be levied through a great part of this period. It seems to have been a stated article in the annual charge against the sheriffs of the several counties, who collected and paid it into the exchequer. The annual danegild for the county of Surry was £185: 6: 0, for Essex £252: 6: 0<sup>75</sup>. These appear at present to be trifling sums, but they were of considerable value in the times we are now considering.

## Tolls and customs.

Tolls levied at bridges, and in fairs and markets, with the customs on goods exported and imported, made a part of the royal revenue, that will be more particularly described in another place.<sup>76</sup>

<sup>73</sup> Du Cange Gloss. voc. *Tallagium*. Madox Hist. Excheq. c. 17.

<sup>74</sup> Eadmeri Hist. p. 83. <sup>75</sup> Madox Hist. Excheq. c. 17. p. 476.

<sup>76</sup> See chap. 6.

Fines, freegifts, and oblations, formed one of Fines, free  
the most abundant sources of the riches of the gifts, &c.  
kings of England in this period. It is hardly  
possible to enumerate all the various occasions  
on which valuable presents were made to these  
princes. No franchise or privilege of any kind  
could be obtained from the crown without a fine  
or oblation proportioned to its value.<sup>77</sup> Great  
fines were paid by prodigious numbers of people,  
in order to obtain justice, and that they might be  
allowed the benefit of a legal trial; while others  
gave great gifts to procure the royal interposition  
for preventing law-proceedings against them;  
and not a few agreed to give one half, or a third  
or fourth part, of their lawful debts, to the  
king, that they might procure payment by his  
authority<sup>78</sup>. In a word, justice was openly sold  
by these sovereigns to their subjects; which made  
the famous article in the great charter against  
selling, delaying, and denying justice, very ne-  
cessary. No office, either in church or state,  
could be obtained without a bribe; and in some  
reigns, even bishoprics were exposed to sale, and  
bestowed on the highest offerers<sup>79</sup>. There was  
hardly any business so contemptible, or so dis-  
honourable, in which some of our princes in this  
period did not engage for money; nor did they  
disdain to accept of dogs, hawks, hens, lampreys,  
shads, and such poultry presents, when  
they could not obtain more valuable bribes.

<sup>77</sup> Madox Hist. Excheq. c. 12.<sup>78</sup> Eadmeri Hist. p. 14.

For money they sold even their love and hatred, and were pleased or angry, friends or enemies, as they were paid. To complete their shame, all these articles of their revenues are regularly entered in the public records, where they still remain undeniable monuments of their venality.<sup>79</sup>

Amercia-  
ments.

Amerciaments formed another very ample source of wealth to the kings of England in this period. These were often excessive, and were imposed on a thousand different occasions, not only for real crimes, but for trivial or imaginary offences, and on the most frivolous pretences. In the records of those times we meet with many persons who were severely amerced for making foolish speeches, or returning foolish answers, and even for having short memories, or being ignorant of things which they could not possibly know.<sup>80</sup> On these accounts amerciaments were the sources of infinite vexations to the subjects, as well as of great riches to the sovereigns of England in this period. They fell heavy, not only on the common people, but upon the greatest prelates and most powerful barons of the kingdom; which gave occasion to the 27th article of the great charter, in which it is declared,—

“ That earls and barons shall not be amerced  
“ except by their peers, and according to the  
“ degree of their offence.”<sup>81</sup>

<sup>79</sup> Madox Hist. Excheq. chap. 13.

<sup>80</sup> Id. ibid. chap. 14.

<sup>81</sup> See Appendix, N° 1. N° 2.

Moneyage was a tax that had been levied in Normandy long before the conquest, and was levied in England by the first and second Norman kings<sup>52</sup>. By it, one shilling was paid on every hearth once every three years, to prevail upon the king not to debase the coin. For these princes insisted on being paid, not only for doing good, but for not doing all the evil that was in their power. This tax was abolished by the charter of liberties granted by Henry I.<sup>53</sup>

Farms of  
counties,  
&c.

The farms of counties, and of cities, towns, and corporations, or gilds, brought very considerable sums into the royal coffers in this period. The profits arising from law proceedings in the county-courts, were divided between the king and the earls of the county, two-thirds belonging to the former, and one-third to the latter. The king's part of these profits was farmed from year to year by the sheriffs, together with some other small articles of revenue, for a certain sum of money, which they paid into the exchequer. The far greatest part of the cities and towns of England belonged to the royal demesnes, and their inhabitants held their lands and houses immediately of the king; who commonly granted the farm of all the rents and gilds due to him from all the citizens or burgesses, for their lands and houses, to the community, or to the chief magistrate, in name of the community, for a

<sup>52</sup> Hale's Hist. Common Law, p. 116.

<sup>53</sup> M. Paris, p. 38. col. 2.

certain rent to be paid yearly into the exchequer. For the further encouragement of towns and cities, and for promoting commerce and arts, the monarchs of England, in this period, formed the inhabitants of these towns and cities, of certain professions, as merchants, goldsmiths, weavers, &c. into corporations or gilds, to whom they granted various privileges, for which they paid certain sums of money yearly into the exchequer.<sup>84</sup>

Queen-gold.

When a sum of money was due to the king, an additional sum was payable to the queen-consort, called (*aurum reginæ*) *queen-gold*. The proportion in some cases, perhaps in all, was one pound, mark, or shilling, on every hundred pounds, marks, or shillings; or, as we now express it, one per cent.<sup>85</sup>

Imposi-  
tions on  
the Jews.

The Jews settled in England in this period were both very numerous and very wealthy; but their wealth was entirely at the mercy of the king, who seized any proportion of it he pleased at any time he thought proper. A degree of power which is seldom used with moderation, and which was much abused, by some of our princes, who extorted prodigious sums of money from the Jews, by the most cruel and violent methods. Of the greatness of these sums, we may form some conception from the following examples. Isaac, the Jew of Norwich, was fined

<sup>84</sup> Madox Hist. Exchequer. chap. 10. Brady of Burghs, *passim*.

<sup>85</sup> Dialogus de Scaccario, l. 2. c. 26.

to King John in the enormous sum of ten thousand marks (equal in value and efficacy to one hundred thousand pounds of our money at present), to be paid at the rate of one mark a-day during life. A considerable part of this sum was accordingly paid by Isaac in his lifetime, and the remainder by his heirs<sup>86</sup>. A Jew of Bristol is said to have paid an equal sum to the same prince<sup>87</sup>. In a word, the revenues squeezed from the Jews on various pretences, were so great, that a particular exchequer, called *the exchequer of the Jews*, was established for their receipt, and a number of officers appointed for their management.<sup>88</sup>

From the above enumeration of the several sources of the revenues of the Norman kings of England in this period, though far from being complete, it is sufficiently evident that these revenues were very great. We are assured by an author who was born in England only nine years after the conquest, that those of William I. amounted to the incredible sum of £ 1061:10:1½ per day, which (neglecting the fraction) was equal in efficacy to £ 15,915 of our money per day, and to £ 5,808,975 per year<sup>89</sup>. This account, extravagant as it may appear, is not very different from that which is given by Roger Hoveden, a contemporary historian, of the revenues

<sup>86</sup> Madox Hist. Excheq. chap. 7. p. 153, 154.

<sup>87</sup> M. Paris, p. 160. col. 1.

<sup>88</sup> Orderic. Vital. apud Duchesn. p. 523.

<sup>89</sup> Id. ibid. chap. 7.

of England in the reign of Richard I. When Hubert, Archbishop of Canterbury, was about to resign the office of high justiciary, A. D. 1196., he proved from his books, that the revenue he had collected in England in the two preceding years, was no less than eleven hundred thousand marks of silver<sup>90</sup>. A great sum, equivalent to £ 11,000,000, at the above rate of computation, in two years, or £ 5,500,000 in one year. But though it should be allowed that both these accounts are exaggerated, we have still no reason to be surprised, that the kings of England in this period kept such splendid and numerous courts—lived in so much affluence—entertained all their prelates and nobles at the three great festivals—endowed so many monasteries, built so many strong castles, and magnificent churches—carried on so many wars—and after all, left so much money in their treasury when they died.

*Changes in  
the laws of  
England.*

It is now time to take a view of some of the most important changes that were made in the laws of England, and in the forms of judicial proceedings in the reign of William I. It is indeed true, that William at his coronation took a solemn oath,—“ To keep and establish right laws, and to prevent rapine and unjust judgement.”<sup>91</sup> But he either paid no regard to that oath, or did not think himself bound by it, to support the laws which he found established. For we have the clearest evidence that he had

<sup>90</sup> R. Hoveden. Annal. p. 437. col. 1.

<sup>91</sup> Id. ibid. p. 258.

a predi-

a predilection for the laws and customs of his native country, and endeavoured to introduce them into England. This is asserted in the plainest terms by Eadmerus, a man of learning, virtue, and integrity, who flourished in those times. " William, having a desire that the customs and laws which his ancestors, and he himself, had observed in Normandy, should be observed in England, made those men bishops, abbots, and princes (earls and barons), who would esteem it dishonourable to oppose his laws in any thing, and who dared not to lift up their heads against him. The English (says Ingulphus, who had been secretary to the conqueror) were so much abominated, that whatever their merit might be, they were deprived of all their offices; and strangers, though of inferior abilities, were put into their places<sup>92</sup>." In consequence of this conduct, in the course of a few years, all the archbishops, bishops, abbots, earls, and barons, together with all the judges and pleaders in all the courts of England, were Normans.<sup>93</sup>

This naturally produced many changes, and introduced many Norman laws and customs, without particular statutes for that purpose. One natural consequence of this total change of judges and pleaders in the English courts, was the introduction of the Norman or French language into these courts, because it was the only

<sup>92</sup> Eadmer. Hist. p. 6.

<sup>93</sup> Ingulphi Hist. p. 513. col. 1.

language

language the pleaders could speak, or the judges understood<sup>94</sup>. The clerks and scribes also, in all these courts, were necessarily Normans; which occasioned the disuse of the Saxon and the introduction of the French manner of writing. This produced various changes in the forms of legal deeds and charters, particularly in the manner of their confirmation, which, in the Anglo-Saxon times, had been by the subscriptions of many witnesses, with the sign of the cross prefixed to each of their names; but, in the Norman times, by seals impressed upon them or appended to them<sup>95</sup>. Almost all the advocates, as well as the clerks, in the courts of England in this period, were clergymen, from which the clergy got the name of clerks; and the Anglo-Norman clergy were so generally practitioners in law, that it became a proverb,—  
 “There is no clergyman who is not a cause  
 “pleader<sup>96</sup>. This, however, did not contribute much to the impartial administration of justice; for the best writers of this period represent those clerical advocates as the most covetous and venal of all men.<sup>97</sup>

The judicial combat.

Fire and water ordeals had been used in Normandy, as well as Britain, before the conquest, and were therefore continued in England after

<sup>94</sup> Ingulphi. Hist. p. 513. col. 1.

<sup>95</sup> Id. ibid.

<sup>96</sup> W. Malmf. l. 4. p. 70. col. 1.

<sup>97</sup> J. Sarisburiensis, p. 289. 292. Petrus Blisensis, Epist. 25. p. 45. Epist. 26. p. 46.

that

that event<sup>98</sup>. But the judicial combat, or duel, though it had been long established in France and Normandy, and other countries on the continent, both by laws and custom, was first introduced into England by the Normans<sup>99</sup>. This, like other ordeals, was an appeal to the judgment of God for the discovery of the truth or falsehood of an accusation that was denied, or a fact that was disputed, founded on this supposition,—*That heaven would always interpose, and give the victory to the champions of truth and innocence.* As the judicial combat was esteemed the most honourable, it soon became the most common method, of determining all disputes among martial knights and barons, both in criminal and civil causes. When the combatants were immediate vassals of the crown, the combat was performed with great pomp and ceremony in presence of the king, with the constable and marshal of England, who were the judges; but if the combatants were the vassals of a baron, the combat was performed in his presence. If the person accused was victorious, he was acquitted of the crime of which he had been accused; if he was defeated, he was thereby convicted, and subjected to the punishment prescribed by law for his offence. If he was killed, his death was considered both as the proof and

<sup>98</sup> Hoveden, Annal. p. 314. col. 1. Eadmer, p. 48.

<sup>99</sup> Leg. Aleman. tit. 44. Burgund. tit. 45. Bajwar, tit. 2. Coustumiere de Normand. part. 2. c. 2. Hoveden. Annal. p. 343.

punish-

punishment of his guilt. If the accuser was vanquished, he was, by the laws of some countries, subjected to the same punishment that would have fallen upon the accused; but in England the king had a power to mitigate or remit the punishment. In civil cases the victor gained, and the vanquished lost his cause. Many wise laws were made for regulating the times and places of such judicial combats, the dress and arms of the combatants, and every other circumstance; which are too voluminous to be here inserted <sup>100</sup>. Several kinds of persons were by these laws exempted from the necessity of defending their innocence, or their properties, by the judicial combat; as women, priests, the sick, infirm, or maimed, with young men under twenty, and old men above sixty years of age. But all these persons might, if they pleased, employ champions to fight in their causes <sup>101</sup>. It may not be improper, for the further illustration of this singular mode of trial, to give a very brief narration of two judicial combats that were fought in this period, one in a criminal, and the other in a civil cause.

Judical combat in a criminal cause.

Henry de Essex, hereditary standard-bearer of England, fled from a battle in Wales, A. D. 1158., threw from him the royal standard, and cried out, with others, that the King was slain.

<sup>100</sup> See Du Cange, Gloss. voc. *Duellum*. Spelman, Gloss. voc. *Campus*. Braston, l. 2. Tract. 2. c. 21. Fleta, l. 1. c. 34, 35.

<sup>101</sup> Glanvill. de Confuetud. Angl. l. 14. c. 1.

Some

Some time after, he was accused of having done this with a treasonable intention, by Robert de Montfort, another great baron, who offered to prove the truth of his accusation by combat. Henry de Essex denied the charge, and accepted the challenge. When all preliminaries were adjusted, this combat was accordingly fought, in the presence of Henry II. and all his court. Essex was defeated, and expected to be carried out to immediate execution. But the King, who was no friend to this kind of trial, spared his life, and contented himself with confiscating his estate, and making him a monk in the abbey of Reading.<sup>102</sup>

The priority of Tinmouth, in Northumberland, was a cell of the abbey of St. Alban's. One Simon of Tinmouth claimed a right to two corrodies, or the maintenance of two persons in the priory, which the prior and monks denied. This cause was brought before the Abbot of St. Albans, and his court-baron, who appointed it to be tried by combat on a certain day before him and his barons. Ralf Gubion, prior of Tinmouth, appeared at the time and place appointed, attended by his champion, one William Pegun, a man of gigantic stature. The combat was fought, Pegun was defeated, and the prior lost his cause; at which he was so much chagrined, that he immediately resigned his office<sup>103</sup>. This

Judicial  
combat in  
a civil  
cause.

<sup>102</sup> W. Neubrigen. l. 2. c. 5. J. Brompt ad ann. 1158. p. 1048.

<sup>103</sup> M. Paris, vita Abbot St. Albani, p. 78. col. 2.

judicial combat is the more remarkable, that it was fought in the court of a spiritual baron, and that one of the parties was a priest.

Introduction of trials by a jury.

The trial of criminal and civil causes by a jury of twelve men, which makes so distinguished a figure in English jurisprudence, seems to have been introduced in the reign of William I., and was probably one of those customs which he had seen observed in his native country, and which he wished to see observed in England <sup>104</sup>. For this custom had prevailed in Scandinavia in very remote ages, was brought from thence into that part of France which was possessed by Rollo and his followers, and from them called Normandy, where it was preserved till it was imported into England at the conquest <sup>105</sup>. This custom was not established at once by any positive statute, but came into use by slow degrees, and was far from being common in the former part of this period, when almost all causes were tried by ordeals of one kind or other. But in the reign of Henry II. after a law was made allowing the defendant, in a criminal or civil process, to defend his innocence, or his right, either by battle, or by a jury of twelve men, called the *grand assize*, this last method, as being the most rational, became more and more frequent, till at length it obtained a complete victory over the judicial combat, and every other ordeal <sup>106</sup>.

<sup>104</sup> Eadmer. Hist. p. 5.

<sup>105</sup> Hickeſii Diſſerat. Epift. p. 37.

<sup>106</sup> Glanvill. l. 14. c. 1.

This

This victory however was not obtained till long after the conclusion of this period.

That there was a very great similarity between the laws of England and of Normandy, soon after the conquest, is undeniable, and may be seen by any one who will take the trouble of comparing the work of Ranulph de Glanvill, chief justiciary to Henry II. *of the laws and customs of England*, with the grand coustumiere of Normandy. This similarity doth not subsist only in matters of essential justice, which are or ought to be the same in all countries; but in the rules of descents, the terms of limitations, the forms of writs, and many other things of an indifferent nature, which could neither have arisen from necessity, nor have fallen out by accident<sup>107</sup>. The only question is, how this similarity was produced; whether by the exportation of the English laws into Normandy, or the importation of the Norman laws into England? Something of both these might have happened in the course of time; but in the reign of William I., it is evident, both from the nature of things, and the testimony of historians, that the current of the exchange of laws and customs run strong from Normandy into England.<sup>108</sup>

But notwithstanding all the changes that were made in the ancient constitution, government, and laws of England by the conquest, it must

Similarity  
of the laws  
of England  
and Nor-  
mandy.

The an-  
cient con-  
stitution  
and laws of  
England

<sup>107</sup> Hale's Hist. of the Common Law, p. 120, &c.

<sup>108</sup> Eadmeri Hist. p. 6.

not quite  
destroyed  
by the con-  
quest.

not be imagined that they were quite destroyed. This was very far from being the case. Many of them were preserved, and even adopted, by the conquerors. Roger Hoveden, and several other historians after him, tell a very formal story on this subject<sup>109</sup>: That in the fourth year of his reign, William the Conqueror, by the advice of his barons, summoned twelve of the most noble and learned of the English out of every county, and that when they were assembled, he commanded them to make a collection of the ancient laws of their country. That they accordingly performed this, and collected the following laws, which William commanded to be observed. They then subjoin a copy of these laws. But, to say nothing of the great improbability that Norman barons would make such a proposal in favour of the English and their laws, there is a passage in one of these laws themselves, which demonstrates that this story cannot be true; for in the eleventh of these laws, concerning the tax called danegeld, there is this passage: "That this tax had never been levied "on the lands of the church till the reign of "William the younger, called William Rufus."<sup>110</sup> Now it is perfectly impossible, that a transaction which happened in the reign of William Rufus, could be mentioned in a collection of laws made in the fourth year of his

<sup>109</sup> R. Hoveden. Annal. p.343. Chron. Eccles. Lichfiden. apud Selden. Spiceleg. in Eadmer. p.171. Hen. Knyght. col.2355.

<sup>110</sup> Ingulphi Hist. ad fin.

father's

father's reign. But though this story cannot be true, as it is related by these writers, it is highly probable, or rather certain, that William I. in some period of his reign, gave his sanction to a system of ancient English laws, with some additions and alterations of his own. For we are told by Ingulphus, a writer of undoubted credit, who was an intimate friend and favourite of the Conqueror, "I brought with me, at the same time (A. D. 1081.) from London to my monastery, certain laws of the most righteous King Edward, which my illustrious lord King William had promulgated as authentic and perpetual, and to be inviolably observed through the whole kingdom of England, under the severest penalties."<sup>111</sup> These laws are published by the learned Mr. Selden, in his notes on Eadmerus, from an ancient transcript of the original, which, he says, was still preserved at Croiland in Lincolnshire<sup>112</sup>. These laws are written in the French and Norman language of the eleventh century; and consequently are very obscure, and in some places hardly intelligible. They are all of a penal nature, fifty in number, and are evidently a compilation from several systems of Anglo-Saxon laws<sup>113</sup>. In another system of laws published by the Conqueror, there is one commanding all the laws of Edward the Confessor to be observed, with the additions that he had made to them, for the

<sup>111</sup> Eadmer, p. 172.

<sup>112</sup> Id. ibid.

<sup>113</sup> Id. 173—189.

benefit of the English<sup>114</sup>. This probably refers to those laws which Ingulphus brought with him from London.

Great attachment of the English to their ancient laws.

The great veneration that William I. professed to entertain for the memory of Edward the Confessor, from whose last will he pretended to derive a title to the crown, might contribute something to preserve some of the ancient English laws and customs. But their preservation was chiefly owing to the invincible attachment of the native English to their ancient laws. This was so great, that they seem to have been written on their hearts, and they never ceased to cry for their restoration. On some occasions, when their assistance was wanted, their cries were heard; and from time to time, many of those liberties which had been torn from them by the hand of violence, were restored. This will appear in part in the subsequent section of this chapter, but more fully in the following volumes of this work.

Great conformity of the laws of England and Scotland in this period.

It is unnecessary to spend any time in delineating the constitution, government, and laws of Scotland, in this period, as they seem to have been the same with those of England above described<sup>115</sup>. This we learn by comparing the treatise of Glanvill with the most ancient collection of the Scotch law, called *regiam majestatem*. From thence it plainly appears, that

<sup>114</sup> Eadmer, p. 192.

<sup>115</sup> Hale's Hist. of the Common Law, c. 10. p. 189—195.

the laws of the two British kingdoms were then the same in many particulars, in which they are now different, though under the same sovereign, and forming one kingdom. Of this remarkable circumstance it may not be improper to give a few examples. By the ancient law of England, the subsequent marriage of the parents did not legitimate the children of the same parents born before that marriage; which still continues to be the law of that country <sup>116</sup>. This was also the law of Scotland in the period we are now considering <sup>117</sup>; but the contrary rule of the civil and canon law hath been long since adopted in North Britain. The trial of civil causes by a jury of twelve men, was known in England in this period, and is still considered as one of the most excellent properties of English jurisprudence, and most valuable privileges of English subjects <sup>118</sup>. Juries of twelve men were also used in Scotland, in those ancient times, in civil as well as criminal causes, as appears from the authorities quoted below, and examples recorded in history <sup>119</sup>. But it is well known, that the use of juries in civil causes, except in the court of exchequer, hath been long since discontinued in Scotland. Several things no doubt contributed to this remarkable uniformity between the laws of the two British kingdoms in those ancient

<sup>116</sup> Glanvill, l. 7. c. 15. <sup>117</sup> Regiam Majestatem, l. 2. c. 19. 51.

<sup>118</sup> Glanvill, l. 1. c. 14. l. 2. c. 13. 16. 18. 19. l. 7. c. 12, &c. &c.

<sup>119</sup> Regiam Majestatem, l. 1. c. 12, 13, 14. l. 2. 19. 32. 43. Chron. Mailros, p. 176.

times, but one of the chief causes of it seems to have been,— that the kings of Scotland were feudatories to the kings of England for the lands they held of them in that kingdom. This obliged those princes to be often present in the courts and parliaments of England, where they became acquainted with, and contracted a fondness for, English laws and customs, which they introduced into their own dominions.

## SECTION II.

*History of the changes in the Constitution, Government, and Laws of England, in the reigns of William II. Henry I. Stephen, Henry II. Richard I. and John, from A. D. 1087. to A. D. 1216.*

AS the most important changes in the English constitution were made, either in the reign of William I. by the establishment of the feudal system; or in the reign of John, by the limitation and mitigation of the severities of that system, it will not be necessary to dwell long on the five intermediate reigns.

Succession  
to the  
crown of  
England  
unsettled.

The succession to the crown of England, after the death of Edward the Confessor, became so unsettled, that it seemed to be set up as an object of ambition to every bold invader, who had but a slight pretence, together with power and courage to seize the glittering prize. To say nothing

nothing of Harold and the Conqueror, the three successors of this last, William, Henry, and Stephen, are esteemed by many no better than usurpers, and most certainly reigned with a disputed title.

This proved a most fortunate circumstance to the native English, and to their posterity, as it contributed not a little to raise them from that insignificancy into which they had been depressed. It even contributed to the preservation of what was left, and to the restoration of what had been lost, of their ancient liberties. For the Norman barons having estates both in Normandy and England, naturally desired to see the ducal and royal crown on the same head, that they might enjoy their estates in both countries. Many of these barons therefore favoured and were ready to support the pretensions of Robert Duke of Normandy, eldest son of William I., to the crown of England, first against his younger brother William, and afterwards against his youngest brother Henry. This obliged both these princes to have recourse to the native English, who were still formidable by their numbers, after all the losses they had sustained.

“ William Rufus (says a contemporary historian) “ seeing almost all the Normans in England “ conspiring against him, invited, by letters, “ the bravest and most respectable among the “ English who were yet remaining, to come to “ him; and complaining to them of the dis- “ loyalty of the Normans, he prevailed upon

This circumstance  
advan-  
tageous to  
the ancient  
English.

“ them to engage in his quarrel, by promising  
 “ them good laws, and abatement of taxes, and  
 “ the liberty of hunting.—He called them his  
 “ dear English, exhorted them to collect their  
 “ countrymen, under the penalty that every  
 “ one who did not come, should be called a  
 “ *Nidering*, a name which he knew none of  
 “ them could endure. In consequence of this,  
 “ such multitudes of the English crowded to  
 “ the King, that he soon formed an invincible  
 “ army.” It is very true, that as soon as the  
 storm was blown over, William violated all his  
 promises, and proved a greater tyrant and op-  
 presser than his father<sup>2</sup>. But still this transac-  
 tion was of some use, as it raised the English  
 from their neglected state, and taught them their  
 own importance.

Charter of  
Henry I.

As the title of Henry I. was liable to the same objection with that of his brother William; so he was exposed to the same danger, on his accession to the throne, and had recourse to the same expedient, with this only difference, that he put his promises in writing, in the form of a charter, and extended them to all his sub-  
 jects<sup>3</sup>. This charter contained many mitigations of the most distressing articles of the feudal sys-  
 tem, to gain the Normans, with an express re-  
 storation of the laws of Edward the confessor, to  
 please the English<sup>4</sup>. It cannot be denied, that

<sup>1</sup> W. Malmf. l.4. p.68.

<sup>2</sup> M. Paris, p.37. col.2.

<sup>3</sup> M. Paris, p.38. Richard Hagulstad. col.310.

<sup>4</sup> See Appendix, N° I.

the written promises of Henry were shamefully violated as well as the verbal ones of William; but his charter being in writing, and copies of it being sent into every county, and deposited in every monastery, had greater effects, by diffusing and cherishing the love of liberty, and equal laws, among the Normans, as well as English<sup>5</sup>. It served also as a model, on which the great charter of liberties, in the reign of King John, was formed. Henry I. promulgated also a system of laws as he had promised in his charter, confining of the laws of Edward the Confessor, with some alteration that had been made in them by his father the Conqueror.<sup>6</sup>

As the usurpation of King Stephen was more unjustifiable in many respects than that of the two former kings, so he was more liberal of his promises of good laws and good government, than any of his predecessors. These promises were made with great solemnity on the day of his coronation, and were soon after confirmed by a charter<sup>7</sup>. But the credit of royal promises and royal charters was now become so low, that the clergy and some of the barons swore fealty to Stephen, only as long as he kept his promises and observed his charters<sup>8</sup>. His conduct soon justified their suspicions. By violating all his

Charter of  
King Ste-  
phen.

<sup>5</sup> M. Paris, p.39. col.1.

<sup>6</sup> Lambard Archaionom. 175. Wilkin. Leges Anglo-Saxon. p.233.

<sup>7</sup> W. Malmf. Hist. Novellæ, l.1. p.102. R. Hoveden. Annal. p.276. Hen. Hunt. p.222. col.1.

<sup>8</sup> W. Malmf. ibid. p.102. col.1.

promises,

promises, he excited a civil war, which raged during his whole reign, and effectually prevented any amendment of the constitution.

Introduc-  
tion of the  
study of  
the civil  
law.

It was in this turbulent reign that the pandects of Justinian were brought into England from Rome by some of Archbishop Theobald's attendants; and Roger Vacarius, Prior of Bec, read lectures upon them to very crowded audiences, both of the clergy and laity<sup>9</sup>. Great opposition, however, was made to the introduction of those laws; and John of Salisbury tells us, that he had seen some who were so much enraged against them, that whenever they met with a copy of the Roman law, they tore it in pieces, or threw it into the fire. King Stephen, out of hatred (as the learned Mr. Selden thinks) to Archbishop Theobald, joined in this opposition, by publishing an edict, imposing silence on Vacarius, and prohibiting any one to read the books of the civil law<sup>10</sup>. But this edict did not put a stop to the study of the civil law, as will afterwards appear.

Charter of  
Henry II.

Though the title of Henry II. to the crown was more clear and unexceptionable than those of his three predecessors, he thought it prudent, on his accession, to conciliate the affections of his subjects by granting them a charter, confirming that of his grandfather Henry I.<sup>11</sup> This great prince, in the course of his long reign, made

<sup>9</sup> J. Sarisburien, 1.8, c.22. p.672.

<sup>10</sup> Id. ibid. Selden, apud Fletam, c.7.

<sup>11</sup> Judge Blackstone's Law-tracts, vol. 2. p.11.

several improvements in the law, especially in its forms, in the manner of its administration, and the practice of its courts. This appears very plainly from that most ancient treatise of the laws and customs of England, written by, or at least published under the name of, Ranulph de Glanvill, who was chief justiciary to this king<sup>12</sup>. Some of these improvements merit a place in history.

The unhappy separation of the ecclesiastical from the civil courts made by William I. had by this time produced the most fatal consequences. For the former of these courts had not only become terrible to persons of all ranks, by their interdicts, excommunications, and other censures; but the clergy, in consequence of this separate jurisdiction, to which alone they pretended they were responsible, had emancipated themselves in a great measure from all subjection to civil authority, and committed the most horrid crimes with impunity. Henry II., if we may believe one of the best of our ancient historians, was assured by his judges, that the clergy, in the first ten years of his reign, had committed no fewer than one hundred murders, besides many thefts, robberies, rapes, and other crimes, for which they could not punish them<sup>13</sup>. To put a stop to those intolerable evils, and reduce the clergy to the rank of subjects, Henry, in a great

Amend-  
ment of  
the law in  
the reign  
of Henry  
II.

<sup>12</sup> R. de Glanvilla de Legibus et Consuetud. Angliae.

<sup>13</sup> W. Neubrigen. l.2. c.16. tom. I. p.158.

council, A. D. 1164., enacted the famous constitutions of Clarendon<sup>14</sup>. These were sixteen in number; and though they cannot be inserted here at full length, it is proper the reader should be made acquainted with their substance, which is as follows:

Constitu-  
tions of  
Claren-  
don.

1. All pleas between clergymen and laymen shall be tried in the king's courts.
2. Churches in the king's gift shall not be filled without his consent.
3. All clergymen, when accused of any crime, shall be tried in the king's courts; and when convicted, shall not be protected from punishment by the church.
4. Clergymen shall not go out of the kingdom without the king's leave.
- 5, 6. Regulate the manner of proceedings in the ecclesiastical courts.
7. None of the king's ministers or vassals shall be excommunicated without his knowledge.
8. Appeals from the archbishop to be made to the king.
9. Pleas between a clerk and a layman, whether an estate was in free-alms or a lay-fee, to be tried in the king's court by a jury.
10. One of the king's tenants might be interdicted, but not excommunicated, without the consent of the civil judge of the place.
11. All prelates, who hold baronies of the king, shall perform the same services with other barons.
12. The revenues of vacant fees and abbeys belong to the king. The election of prelates shall be with the king's consent; and they shall swear fealty, and do homage to the

<sup>14</sup> Gervas Chron. col. 1386, &c.

king,

king, before their consecration. 13, 14, 15. Direct the manner of proceeding, in case any of the king's barons shall disseise any of the clergy of the lay-fees which they held under them. 16. The sons of villains shall not be ordained without the leave of their masters<sup>15</sup>. But the salutary effects of these constitutions were in a great measure prevented by the invincible opposition of Thomas Becket.

Justice was not always administered in those ancient times, by the barons and sheriffs in the inferior courts, with the greatest wisdom and impartiality; partly owing to the ignorance of the judges, and partly to the prevalence of faction among the suitors in these courts<sup>16</sup>. Nor was it an easy matter to procure relief from an iniquitous sentence pronounced by a baron or sheriff, on account of the great distance and unsettled state of the king's court, which constantly attended his person. To remedy these inconveniences, Henry II. with the advice of a great council of his prelates, earls, and barons, at Northampton, A. D. 1176., divided the whole kingdom into six parts or circuits, and appointed three judges, learned in the law, to hold courts in each of these, by a commission from the king, empowering them to hear and determine all causes not exceeding the value of one half of a knight's fee, unless the matter was of such importance or

Institution  
of justice  
itinerant.

<sup>15</sup> Gervas Chron. col. 1386, &c.

<sup>16</sup> Hale's Hist. Com. Law, p. 139, &c.

difficulty

difficulty as to require the judgment of the king's court in his royal presence<sup>17</sup>. These justices itinerant took an oath, to administer justice to all persons with impartiality<sup>18</sup>. They had also authority to judge in all criminal causes and pleas of the crown, and to transact a variety of other affairs for the public good. A small change was made in this excellent institution, A. D. 1179., by dividing the kingdom into four circuits, and allowing a greater number of judges to each of these circuits<sup>19</sup>. It is easy to conceive how great a check the circuits of these judges of superior rank, knowledge, and integrity, must have given to the wantonness and partiality of the inferior courts, and how great an advantage they were to the people, by bringing justice within their reach. It must, however, be confessed, that though the honour of bringing this wise institution to a settled state is due to Henry II. there is sufficient evidence that courts were held, occasionally at least, by itinerant judges in more ancient times.<sup>20</sup>

Henry II.  
a friend to  
trials by  
juries.

This wise prince was no friend to the superstitious modes of trial by fire and water ordeals, nor to the barbarous one by single combat, especially in civil causes. He therefore endeavoured to introduce trials by juries, or by the oaths of twelve men of the vicinage, called *the grand assize*, as more rational. With this view he

<sup>17</sup> Hoveden. Annal. p. 313.

<sup>18</sup> M. Paris, p. 92, col. 1.

<sup>19</sup> Hoveden. Annal. p. 337.

<sup>20</sup> Madox, Hist. Excheq. p. 86, 87, 88.

made a law, allowing the defendant, in a plea of right, to support his title, either by single combat, or by a grand assize, " which (says Glanvill) " is a benefit granted to the people by the king's " clemency, upon consultation with his nobles, " in tenderness of life, whereby men might de- " cline the doubtful success of battle, and try " the right to their freehold in the other way<sup>21</sup>."

This was a great improvement in English jurisprudence, and from hence we may date the more frequent use of juries than in former times.

Though Richard I. spent much of his time out of the kingdom, and in the toils of war, he was not inattentive to matters of police and law. The laws which he made for the government of his fleet in his voyage to the Holy Land, are truly curious, particularly the last of these laws, which is to this purpose: — " If any one is convicted " of theft, let his head be shaved like a champion's; let melted pitch be poured upon it, " and feathers shaken over it, that he may be " known, and let him be set on shore at the first " land to which the ship approaches<sup>22</sup>." To say nothing of his other maritime and mercantile laws, which will be more properly considered in another place, he made some excellent regulations for establishing an uniformity of weights and measures over the whole kingdom<sup>23</sup>: a thing much to be desired, but not yet accom-

Improvements  
of the laws  
by Richard I.

<sup>21</sup> Glanvill, l. 2. c. 7.

<sup>22</sup> Chron. J. Brompt. apud. X Script. col. 1173.

<sup>23</sup> Hoveden. Annal. p. 441.

plished.

plished. This prince gave also very long and particular directions to the justices itinerant for the regulation of their conduct on their circuits. These directions were contained in two capitularies, one relating to the pleas of the crown, and the other to the affairs of the Jews, who, on account of their numbers and riches, were regarded by government with great attention<sup>24</sup>. Richard I. gave also very particular directions to the justices of his forests, who held forest-courts in all parts of England, at which all archbishops, bishops, earls, and barons, as well as persons of inferior rank, were obliged to attend, and answer to interrogatories<sup>25</sup>. These directions, which are too long to be here inserted, set the rigour of the forest-laws in so strong a light, that we need not wonder the barons in the next reign insisted upon some articles being inserted in the great charter for mitigating their severity.

Meliorations of  
the constitution in  
the reign of King  
John.

Though King John was certainly one of the worst princes that ever filled the throne of England, his reign will be for ever memorable for the melioration of the constitution by the great charter of liberties that was then obtained. His merit, however, in this melioration was very small, as he contributed to it only by rendering himself odious by his vices, contemptible by his follies, and impotent by his losses, which both constrained and encouraged his subjects to

<sup>24</sup> Hoveden. Annal. p. 424.

<sup>25</sup> Id. ibid.

demand,

demand, and enabled them to obtain, by means already related, this great paladium of English liberty.<sup>26</sup>

We are indebted to the labours of a learned judge for an accurate history, and correct edition, of the Great Charter of King John, and of the similar charters of his son Henry III. and grandson Edward I.<sup>27</sup> From that edition the charter, in the Appendix, No. 1. is printed; to which a plain and almost literal translation is subjoined, No. 2. which may be agreeable to some readers.

It is not the province, though it were in the power, of an historian, to give a complete commentary on this famous charter. All the purposes of general history, it is hoped, will be sufficiently answered by a very short analysis, pointing out, in a few words, the grievances and hardships that were intended to be removed, with the liberties and privileges that were designed to be granted, by the Great Charter of King John.

The privileges and liberties that were granted or confirmed to the people of England by this charter, may be divided into these four classes: 1. Those that were granted to the church and clergy. 2. To the earls, barons, knights, and others, who held of the King *in capite*. 3. To cities, towns, and merchants, for the encouragement of trade. 4. To the whole body of free-men. For none of the parties concerned in this

Magna  
Charta or  
the Great  
Charter.

Analysis  
of that  
charter.

Privileges  
granted by  
it, divided  
into four  
classes.

<sup>26</sup> See vol. 5. p. 254.

<sup>27</sup> Law-tracts, vol. 2.

charter ever entertained a thought of emancipating slaves or villains ; and therefore they are mentioned only once, and that for the benefit of their masters.

Privileges  
granted to  
the church.

As Archbishop Langton, and six other bishops, were at the head of the barons who procured this charter, we may be certain that the interests of the church would not be forgotten. But the power and wealth of the clergy were then so great, and their grievances so few, that they had hardly any thing to complain of or to ask. This is no doubt the reason that there are so few articles in the charter, particularly respecting the church and clergy.

The famous constitutions of Clarendon, made by Henry II. A. D. 1164., had been the great object of the execration and horror of the popes, and of those English clergy who were of their party, for half a century before the granting of the Great Charter. There is hardly a name in the Latin language, expressive of abhorrence and detestation, which is not bestowed by the monkish writers of those times on these hated regulations<sup>28</sup>. After a long and violent struggle, in which Archbishop Becket lost his life, Henry II. had been obliged to give up the greatest part of his favourite constitutions<sup>29</sup>. To guard against the restoration of those detested laws, and to eradicate their remains, had been the chief con-

<sup>28</sup> Epist. S. Thomæ, p.52. 210. 288. 450. 467. 499. 570, &c.

<sup>29</sup> Vita S. Thomæ, p.148:

cern of the English clergy for many years. It was evidently with this view that the several articles respecting the church and clergy were inserted in the Great Charter, which seems to be the true key for the right understanding of these articles.

It is declared in the first article, “that the English church shall be free, and have her rights entire, and her liberties unhurt<sup>30</sup>. ” By the freedom here stipulated for the church of England, we are most probably to understand the exemption of the clergy from the jurisdiction of the civil courts, to which they had been subjected by the third constitution of Clarendon<sup>31</sup>. This pernicious exemption was contended for by Becket, and the great body of the clergy, as if it had constituted the very essence of Christianity, on which the existence of the church depended; and when they had obtained it, they defended it with equal obstinacy. One of the rights of the church, which is particularly mentioned in this first article, is directly contrary to the twelfth constitution of Clarendon. It is the right which John had granted by a particular charter about a year before, to the monks of cathedral churches and abbeys, freely to chuse their own bishops and abbots.<sup>32</sup>

The twenty-second article of the charter seems to indicate very plainly, that the freedom granted

<sup>30</sup> Appendix, No. 1, 2.

<sup>31</sup> Gervas Chron. col. 1386.

<sup>32</sup> Id. col. 1388. Rymers Fœdera, t. 1. p. 197.

to the clergy implied an exemption of their persons as clergymen, and of their benefices belonging to the church, from civil jurisdiction. For by that article it is declared, that no clergyman shall be amerced according to the value of his ecclesiastical benefice, but according to his secular estate. A clergyman, therefore, who had no secular estate, was not liable to be amerced. One reason of inserting that article seems to have been, that some clergymen, who had secular estates, had been so unreasonable as to plead, that these estates should be exempted from civil jurisdiction, as well as their ecclesiastical benefices.

None of the constitutions of Clarendon was more disagreeable to the Pope and clergy than the fourth, which prohibited all archbishops, bishops, and clerks, from going out of the kingdom without the king's leave<sup>33</sup>. For by this law the clergy were prevented from prosecuting their appeals and other affairs at the court of Rome, and that court was deprived of much power and riches. This restraint was effectually removed by the forty-second article of the Great Charter, which permitted all persons, the clergy not excepted, to go out of the kingdom and return into it when they pleased.<sup>34</sup>

Privileges  
granted to  
the barons,  
&c. by the  
Great  
Charter.

As the earls, barons, and other military tenants of the crown, were the chief instruments of procuring the Great Charter; there are several

<sup>33</sup> Gervas Chron. 1386.

<sup>34</sup> Appendix, No. 1, 2.

articles

articles in it particularly calculated for their relief and benefit, by mitigating some of the most oppressive rigours and abuses of the feudal system of tenures, under which they groaned. These articles, though they were of great importance, will not require much illustration; as the remedy provided by the charter, clearly enough points out the evils intended to be remedied.

By the second article of the charter, the reliefs of the heirs of earls, barons, and other military tenants of the crown, are fixed and ascertained according to the ancient rate of reliefs.<sup>35</sup>

By what means this ancient rate of reliefs had been laid aside, we are not informed. But there is sufficient evidence, that in the late reigns, as well as in that of King John, the reliefs of earls and barons had been arbitrary and uncertain. Henry I. says, in his charter which he granted at his accession, “if any of my earls, barons, “or other vassals die, their heirs shall not be “obliged to redeem their land, as they were in “the time of my brother; but they shall be put “in possession of it on paying a just and reason-“able relief<sup>36</sup>. ” Glanvill, who flourished in the reign of Henry II., acquaints us, “that the “reliefs for baronies were not fixed; but were “according to the pleasure and mercy of the “king<sup>37</sup>. ” This was also the law of Scotland in this period<sup>38</sup>. It is easy to imagine how

<sup>35</sup> Appendix, No. 1, 2.

<sup>36</sup> Appendix, No. 1.

<sup>37</sup> Glanvill, l. 9. c. 4.

<sup>38</sup> Regiam Majestatem, l. 2. c. 71.

great an instrument of oppression the uncertainty of reliefs might be in the hands of such princes as William Rufus or King John, and how great an advantage it was to the military tenants of the crown to have them ascertained.

Though the king reaped great profits from the wardship of the heirs of his earls, barons, and other vassals, when they were minors, and ought therefore to have put them in possession of their lands when they came of age, without exacting any relief or payment of any kind, it appears to have been common to demand a fine proportioned to the value of the estate<sup>39</sup>. To correct this abuse, it is declared, (article 3.) “that when an heir who had been a ward, comes of age, he shall have his inheritance without relief or fine.”

Sometimes a king of England, in this period, appointed the sheriff of the county, or some other person, to manage the estate of an earl or baron who was his ward, and to pay the profits arising from it into the exchequer. At other times he sold or granted the wardship, with all its profits, to some particular person. In both these cases, the tenants on the estate of the royal wards were often much oppressed, and the estates wasted, by the managers, the grantees, or purchasers, for their own profit. The persons who had the custody of those estates also permitted the castles, houses, mills, parks, &c. upon them to

<sup>39</sup> Madox Hist. Excheq. ch. 13. sect. 8. p. 333.

go to ruin, because they would not be at the expence of repairs. By the fourth and fifth articles of the Great Charter, some partial remedies are provided against these abuses; in which the most remarkable circumstance is this, that the managers of these estates are prohibited from wasting the men, as well as the cattle, woods, and other things upon them<sup>40</sup>. This shews, that the unhappy men who were annexed to their estates, were viewed in the same light, by the mighty champions of liberty, the authors of the Great Charter, as the negroes in our plantations are viewed by their proprietors.<sup>41</sup>

If the heirs of earls, barons, and other military tenants of the crown, were liable to great losses in their fortunes from their sovereign's right of wardship, they were liable to still greater injuries from his right of disposing of them in marriage. In consequence of this unnatural right, the heirs and heiresses of the greatest families and fortunes were frequently sold or granted in marriage to persons disagreeable to them or unworthy of them; or were obliged to preserve themselves from so great a calamity, by paying exorbitant fines. To set some bounds to this intolerable tyranny, it was granted by the sixth article of the Great Charter, "that heirs should not be married to their disparagement, or without the knowledge of their relations<sup>42</sup>."<sup>2</sup>

<sup>40</sup> Appendix, No. 1, 2.  
Statutes, p. 6.

<sup>41</sup> See Observations upon the  
<sup>42</sup> Appendix, No. 1, 2.

But this was evidently too general and indefinite to be an effectual remedy to so great an evil.

Not only heirs and heiresses, but also widows, were subjected to great oppressions by the feudal system. They were often obliged to pay heavy fines to obtain possession of their dower, and for liberty to remain unmarried, or to marry whom they pleased. Thus Maud Countess of Warwick, in the thirty-first year of Henry II., gave seven hundred marks to the King, equal in value and efficacy to seven thousand pounds of our money at present, that she might have her dower, and be at liberty to marry whom she pleased<sup>43</sup>. Lucia Countess of Chester paid five hundred marks to King Stephen, that she might not be compelled to marry within five years<sup>44</sup>. King John had carried this part of feudal oppression, as well as all the rest, to a greater height than any former prince; for Alicia Countess of Warwick paid him no less than one thousand pounds, that she might not be forced to marry till she pleased<sup>45</sup>. The seventh and eighth articles of the Great Charter were intended to restrain these abuses.<sup>46</sup>

While the kings of England acted as if they had been the sole judges both of the quantity of the feudal prestations, of aids, scutages, and tallages, and of the frequency of exacting them, (as they often did in this period,) the property

<sup>43</sup> Madox Hist. Excheq. ch. 13. sect. 2.

<sup>45</sup> Id. ibid.

<sup>44</sup> Id. ibid.

<sup>46</sup> Append. No. 1, 2.

of their vassals was insecure. For when the king could take any proportion of their goods at any time he pleased, they had, properly speaking, nothing that they could call their own. To prevent this most dangerous abuse in the sovereign, and to prevent his granting permission to inferior feudal lords to be guilty of abusing, in the same manner, their power over their vassals, is the intention of the twelfth and fifteenth articles of the Great Charter<sup>47</sup>. These articles, however, did not prevent those abuses, which were not effectually removed till long after the conclusion of this period.

So very tyrannical and encroaching had some of our princes been, that when the military vassal of an inferior lord happened to hold a small piece of land of the crown by socage, or burgage-tenure, they claimed the wardship and marriage of his heir, though they most evidently belonged to the lord of whom he held by military tenure. This most unreasonable claim was relinquished by the thirty-seventh article of the Great Charter.

Because it would have been impossible to enumerate all the various unjust vexations to which the military vassals of the crown were liable; and to provide particular remedies for each of them, a general provision is made in the sixteenth article, — “that no man shall be constrained to do more service for a knight’s fee

<sup>47</sup> Appendix. No. I, 20

“ than

“than what is due.” But this provision was too general to be of much use.

Such were the mitigations of some of the greatest rigours of the feudal system, obtained from King John, in this famous charter, by the barons; but none of them were capable of forming an idea of the perfect freedom from all the servilities of that system, which their posterity now enjoy.

One thing which seemed at least to render the above limitations of the power of the sovereign as a feudal lord of greater value, and more universal benefit, was this, that, by the sixtieth article of this famous charter, the same limitations are imposed upon all inferior feudal lords towards their vassals<sup>48</sup>. This article, which was highly reasonable, was probably inserted at the desire of the King; and in the event was so far from extending the benefit of the limitations in the charter, that it contributed not a little to render them ineffectual. For though the great barons were very desirous to prevent the tyrannical exercise of the feudal authority of the sovereign towards themselves; many of them were much inclined to exercise it in that manner towards their vassals, and continued to do so after this charter was granted. This both encouraged our kings to violate all its limitations, and furnished them with a ready answer to all the complaints of their barons. So uncertain are the effects of

<sup>48</sup> Append. No. 1, 2.

political

political regulations, and so different do they sometimes prove in fact, from what they promised in theory.

The great barons in this period had in general little knowledge of trade, and little regard for merchants: besides, the cities and towns of England, for almost a century after the conquest, London and a few others excepted, were very inconsiderable, and many of their inhabitants were little better than slaves to the king, or to the barons in whose territories they were situated. But about the middle of the twelfth century they began to emerge from this obscurity into some degree of consideration. Many small towns were made free burghs by the royal charters of Henry II., Richard I., and King John; and had merchants, guilds, and other fraternities established in them, with various privileges, which soon filled them with inhabitants<sup>49</sup>. Many of these free burghs favoured the cause of the barons. The citizens of London, in particular, embraced their party with so much zeal, that they gave them possession of their city, to which they were chiefly indebted for the success of their enterprise<sup>50</sup>. This was probably the reason that the privileges of cities and towns, and the interests of trade were not quite neglected in the Great Charter.

It was granted by the thirteenth article of that charter, that the city of London, and all the

Privileges  
granted to  
towns, &c.  
by the  
Great  
Charter.

<sup>49</sup> See Brady of Burghs.

*Leteroir*

<sup>50</sup> M. Paris, p. 117. col. 1.

other

other cities, burghs, towns, and ports of the kingdom, should enjoy all their liberties and free customs, both by land and water<sup>51</sup>. In times when law and justice had their regular course, such a stipulation would have been thought unnecessary. But this was far from being the case when fines from cities, towns, and corporations, for licence to use their legal rights and liberties, constituted a considerable branch of the royal revenue<sup>52</sup>. By the twenty-third article it is declared, that towns shall not be compelled to build bridges or embank rivers, except where they are obliged to it by law. It was probably at the desire of the citizens of London that the thirty-third article was inserted, commanding all cruses or wears (then called *keydels*) to be removed out of the rivers Thames and Medway, and other rivers; because they obstructed the navigation of these rivers. This appears plainly from a precept of Henry III. granted about twelve years after this, strictly requiring, “that “for the common utility of the city of London, “all keydels in the rivers Thames and Medway, “and particularly those near the tower of Lon-“don, be immediately removed<sup>53</sup>. ” It is also probable that the thirty-fifth article, commanding the London measures of wine, ale, and corn, with an uniformity of weights to be observed over all the kingdom, was dictated by the Lon-

<sup>51</sup> Appendix. No. 1, 2.

<sup>52</sup> Madox Hist. Excheq. c. 11, 12.

<sup>53</sup> Coke's Institutes, part second, p. 38.

doners. Lending money on interest was, in this period, called usury, and prohibited to Christians by the canons of the church, and even by the laws of the land<sup>54</sup>. This branch of business therefore fell entirely into the hands of the Jews, who were the only money lenders, and commonly great extortioners. It was probably at the suggestion of the Londoners, who had borrowed great sums of the Jews, that the tenth article was inserted in the charter, “that money owing to “Jews should pay no interest during the minority of the debtor;” though it must be confessed that this article was equally advantageous to feudal superiors who had the wardship of minors.

One of the greatest obstructions to the progress of commerce in this period, was an impolitic and ungenerous jealousy of strangers in general, and of foreign merchants in particular, that prevailed in England, as well as in several other countries<sup>55</sup>. In consequence of this these merchants were subjected to many restraints and hardships. They were not allowed to come into the kingdom but at certain times, nor to stay above forty days, nor to expose their goods to sale, except at certain fairs<sup>56</sup>. They were often obliged to pay great fines to the king for licence to trade, and much higher customs and tolls of all kinds

<sup>54</sup> Johnson's Canons, A.D. 785. 17. 1064. 16.

<sup>55</sup> Observations on the Statutes, p. 21. Leges Wallicæ, p. 330.

<sup>56</sup> Mirror, c. i. sect. 3.

than

than natives<sup>57</sup>. Both their persons and their goods were exposed to great violences when a war happened to break out between England and the country to which they belonged. But about this time juster notions of trade began to be entertained by some persons, most probably by the chief citizens of London, and by their influence, an article (the forty-first), very favourable to foreign merchants both in times of peace and war, was inserted in the Great Charter. The language of this article is so plain that it needs no illustration.<sup>58</sup>

Privileges  
granted to  
all free-  
men by  
the Great  
Charter.

The great barons, who were the chief instruments of procuring this famous charter, may be viewed as acting in the two capacities, 1. of the military vassals of the crown; 2. of the subjects of the kingdom. They consulted their interest in the first capacity, by the limitations of the rigours of the feudal tenures which they procured, in which all who held lands by military services shared with them. They consulted their interest in the second capacity by the amendments they procured in the general police of the kingdom, in which all their fellow-subjects, who were free-men, were partakers. These amendments were numerous and important, tending to remove or alleviate the several grievances of which the people in general complained.

<sup>57</sup> Madox Hist. Excheq. chap. 13. sect. 3. p. 323.

<sup>58</sup> See Append. No. 1, 2.

The greatest of all the grievances of which the people of England complained in this period, was,— That the mere will and arbitrary commands of the sovereign were substituted in the place of law, and men were seised, imprisoned, stripped of their estates, outlawed, banished, and even destroyed, without any trial. That this complaint was not without foundation, might be proved by giving examples of every one of these tyrannical acts; but it will certainly be sufficient to give one example in which they are all included, and that taken from the history of the best prince who reigned in this period. Henry II. was so much enraged against Thomas Becket Archbishop of Canterbury for his opposition to the constitutions of Clarendon, and his flight out of the kingdom, that he apprehended all his relations, friends, and dependants, to the number of four hundred persons, men, women, and children, confiscated all their estates and goods, and banished them out of the kingdom in the middle of winter, A.D. 1165., obliging all the adults among them to take an oath at their departure, that they would go to Sens, and present themselves to the Archbishop<sup>59</sup>. All this was done, not only without any trial, but even without any suspicion or possibility of guilt, as many of the sufferers were infants, by the mere arbitrary command of the King, in order to distress

<sup>59</sup> Vita S. Thomæ, l. 2. c. 14. p. 82. Epistolæ S. Thomæ, l. 1. Ep. 42. l. 3. Ep. 79.

the

the Archbishop by the fight of so many persons connected with him by the ties of blood or friendship, ruined on his account, and to oppress him with the charge of their support. To put a stop to such outrageous exertions of arbitrary power, the following concession was made by King John in the thirty-ninth article of his charter: “ No freeman shall be apprehended, “ or imprisoned, or disseised, or outlawed, or “ banished, or any other way destroyed, nor “ will we go upon him, nor will we send upon “ him, except by the legal judgment of his “ peers, or by the law of the land<sup>60</sup>:” — the most valuable stipulation in the whole charter, and the grand security of the liberties, persons, and properties of the people of England, which cannot be unjustly invaded if this law is not violated. The expressions, —we will not go upon him,—we will not send upon him,—signify, that the king would not sit in judgment, or pronounce sentence, on any freeman, either in person, or by his judges, except by the verdict of a jury, or by a process conducted according to the established laws of the land. By this last expression, trials by ordeals, by judicial combats, and by compurgators, are probably intended, as these were all in use at this time, and agreeable to law.

Next to the substitution of arbitrary will in the place of law, the king’s personal interfering

<sup>60</sup> Append. No. 1, 2.

in law-suits depending before his courts, in order to interrupt or pervert the regular course of justice, was one of the greatest grievances of this period. This was done in so public and shameless a manner, that the bribes received by our kings for these iniquitous practices, were regularly entered in the revenue-rolls of every year, and amounted to great sums<sup>61</sup>. To put a stop to this great abuse, it is promised by King John, in the fortieth article of his charter, — “To no man  
“ will we sell, to no man will we deny or delay  
“ right and justice.”<sup>62</sup>

The people of England also complained, that too many of the judges had neither a competent knowledge of the law, nor a due regard to justice. To remove the ground of these complaints, King John engaged, in article forty-fifth, “We will not make justiciaries, constables  
“ of castles, sheriffs, or bailiffs, unless of such  
“ as know the law of the kingdom, and are well  
“ inclined to observe it<sup>63</sup>. ” Still further to secure the lives of the subjects from being endangered by the ignorance or iniquity of inferior judges, it is provided by article twenty-fourth,  
“ That no sheriff, constable of a castle, coroner,  
“ or bailiff, shall hold pleas of the crown,”  
*i.e.* try capital crimes, or inflict capital punishments.

<sup>61</sup> Madox. Hist. Excheq. chap. 12.

<sup>62</sup> Append. No. 1, 2.

<sup>63</sup> Id. ibid.

The ambulatory unsettled state of the King's court, which constantly attended the royal person, was a great obstruction to the regular administration of justice, and made a revial of the proceedings of inferior courts very hard to be obtained. To remove this inconveniency, it is declared by article seventeenth,—“ Common pleas shall not follow our court, but be held ‘in some certain place’<sup>64</sup>. ” Amerciaments for trivial offences, or exorbitant and ruinous ones for real delinquencies, were among the greatest grievances of the people of England in this period. The causes for which amerciaments were imposed, were almost innumerable; and as the rates of them were unsettled, and they brought much money into the royal coffers, they were frequently excessive<sup>65</sup>. This was so much the case, that those who were amerced, were said to be *in misericordia regis*, or at the king's mercy. To set some bounds to these oppreßions, was the intention of the twentieth, twenty-first, and twenty-second articles of the Great Charter; by which it is declared, that earls and barons shall not be amerced, except by their peers, and that according to the degree of their deliquency; that no freeholder or freeman shall be heavily amerced for a slight default, nor above measure even for a great misdemeanor; still saving to a freeholder his freehold, to a merchant his mer-

<sup>64</sup> Append. No. 1, 2.

<sup>65</sup> See Madox. Hist. Excheq. chap. 14.  
chandise,

chandise, and to a rustic his implements of husbandry<sup>66</sup>. The savings to these different kinds of persons are called in the charter their *contenement*; which signifies such a reservation of their estate and goods, as enabled them to keep their countenance, to live in their former ranks, and pursue their former business<sup>67</sup>. Thus also his arms were the contenement of a soldier, his books of a scholar, and, by the laws of Wales, his harp made a part of the contenement of a gentleman.<sup>68</sup>

The prerogative of pre-emption of all things necessary for their court and castles, commonly called *purveyance*, which belonged to the kings of England in this period, was a source of infinite vexations and injuries to their people. This was sometimes owing to the avarice, and sometimes to the official insolence and cruelty, of the purveyors, who attended the court in all its motions. The miseries inflicted on the country by these petty tyrants in the reign of William Rufus, are thus pathetically described by a writer of undoubted credit, who flourished in those times, and beheld the scenes he represents:

“ Those who attended the court, plundered and  
 “ destroyed the whole country through which  
 “ the King passed, without any controul. Some  
 “ of them were so intoxicated with malice, that  
 “ when they could not consume all the provi-

<sup>66</sup> See Appendix, No. 1, 2.

<sup>67</sup> Observations on the Statutes, p. 10.

<sup>68</sup> Glanvill, l. 9. c. 8. Bracton, l. 3. Tract. 2. c. 2.

" fions in the houses which they invaded, they  
 " either sold or burnt them. After having  
 " washed their horses feet with the liquors they  
 " could not drink, they let them run out on the  
 " ground, or destroyed them in some other way.  
 " But the cruelties they committed on the mas-  
 " ters of families, and the indecencies they of-  
 " fered to their wives and daughters, were too  
 " shocking to be described "<sup>69</sup>. Under better  
 princes these enormities were, no doubt, in some  
 degree restrained; but we can hardly suppose that  
 the courtiers and purveyors of King John were  
 much more modest than those of William Rufus.  
 To prevent in some measure those intolerable  
 oppressions, is the design of the twenty-eighth,  
 the thirtieth, and thirty-first articles of the Great  
 Charter.<sup>70</sup>

The fondness, or rather rage, of our ancient kings, for hunting, was productive of many mischiefs to their subjects. Great tracts of country, in almost every county of England, were desolated, and converted into forests, for their game; and these forests, with the game contained in them, were guarded by the most cruel and sanguinary laws<sup>71</sup>. For it was a received doctrine in this period, before the Great Charter was granted, that the king might make what laws he pleased for the protection of his forests; and that in making and executing these laws, he was

<sup>69</sup> Eadmer. Hist. Novorum, l. 4. p. 94.

<sup>70</sup> Appendix, No. 1, 2.

<sup>71</sup> W. Malmf. l. 3. p. 63. Hen. Knyghton, apud X Script. col.

not under any obligation to observe the ordinary rules of justice<sup>72</sup>. In consequence of this doctrine, the forest-laws were dictated by such a spirit of cruelty, and executed with such severity, that they were great objects of terror, and sources of distress to those who were so unhappy as to live near the precincts of any royal forests. To mitigate in some degree the cruelty of these forest-laws, and the severity with which they were executed, was the intention of the forty-fourth, forty-seventh, and forty-eighth articles of the Great Charter of King John<sup>73</sup>. These articles, however, were soon found to be insufficient to answer the ends for which they were intended; and therefore the barons, in the ninth year of the next reign, obtained a separate charter, called *carta de foresta*, or, *the charter of the forests*, containing more precise and particular regulations.<sup>74</sup>

The Great Charter of King John contains several other articles, besides those on which observations have been made above; but these are either of a temporary or private nature, or relate to law-writs, and forms, long ago obsolete; or are of little importance, or so plain that they need no illustration.

The barons who procured this famous charter, were not ignorant, that the King had granted it with the most extreme reluctance; and therefore they took every precaution they could invent to render it effectual, and to secure the rights and

Securities  
for the ex-  
ecution of  
the Great  
Charter.

<sup>72</sup> Dialogus de Scaccario, I. i. c.ii.

<sup>73</sup> Appendix, No. 1, 2.

<sup>74</sup> See Law-tracts, vol. 2. p. 93.

liberties they had obtained. The great seal was not only appended to it in due form, but both the King and the barons took a solemn oath, to observe it in all particulars with good faith, and without any dissimulation. Not contented with this, they obtained authority to elect twenty-five barons to be the conservators of the charter, with power to compel the King, and his ministers, to fulfil all the articles of it, and immediately to redress every violation. To put it out of the King's power to break through his engagements, and to enable the conservators effectually to support the charter, all the King's foreign auxiliaries, which were at this time almost his only strength, were immediately sent out of the kingdom, and the tower of London was delivered to the conservators.<sup>75</sup>

These securities ineffectual.

It will appear, however, in the third chapter of the eighth volume of this work, that all these precautions were ineffectual; and that it was not till after a very long and bloody struggle that the people of England obtained the peaceable enjoyment of the rights and liberties contained in the Great Charter of King John, and in the similar charters of his successors. With so much difficulty, by such slow degrees, and at so great an expence of blood and treasure, was the venerable fabric of the British constitution erected. *Esto perpetua.* May it remain for ever, the pride and felicity of those who enjoy its blessings, the envy and admiration of surrounding nations!

<sup>75</sup> Law-tracts, vol. 2. p. 39.

THE  
HISTORY  
OF  
GREAT BRITAIN.

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BOOK III.

CHAP. IV.

*The History of Learning in Great Britain, from the landing of William Duke of Normandy, A.D. 1066., to the death of King John, A. D. 1216.*

NATIONS are liable to various revolutions in the state of their minds, and extent of their knowledge, as well as in their power and wealth, and other external circumstances. The same people, who, in one period, are grossly ignorant, and even regard all literary pursuits with supreme contempt, in another period become ingenious and inquisitive, and apply to the cultivation of the sciences with the greatest ardour. This is a revolution more to their honour than the greatest victories, and therefore certainly

merits

merits a place in history. We have seen the inhabitants of Britain involved in that profound darkness which covered the face of Europe, and almost of the whole world, for several ages after the fall of the western empire. We shall now see the day of science beginning to dawn upon them; faintly indeed at first, and liable now and then to be overcast, but never quite extinguished.

**Plan of this chapter.**

As the period we are now considering is not near so long as any of the two former periods, it will not be necessary to divide it into centuries, but only to give a brief account. 1. Of the several sciences that were cultivated—the improvements that were made in them—and the reasons of these improvements; 2. Of the most considerable men of learning who flourished: 3. Of the chief seminaries of learning that were founded, or improved, in the course of this period.

## SECTION I.

*An account of the Sciences that were cultivated in Great Britain, from A.D. 1066., to A.D. 1216.—of the improvements that were made in them—and of the reasons of these improvements.*

**The sciences that were cultivated.**

THOUGH the ancient division of the sciences into the *trivium* and *quadrivium*, is frequently mentioned by the writers of the twelfth century, it doth not seem to have been

strictly adhered to in the schools<sup>1</sup>. For there is sufficient evidence, that all the following parts of learning were cultivated, in some degree, in Britain, in this period, viz. Grammar, rhetoric, logic, metaphysics, physics, ethics, scholastic divinity, the canon law, the civil law, the common law, arithmetic, geometry, astronomy, astrology, and medicine. Of the state of all these branches of learning in Britain in the times we are now delineating, it is proper to take a short view.

Grammar, or the study of languages, was prosecuted by many persons, with much ardour and no little success. The languages that were chiefly studied in England in this period, were the French and Latin, the former being the language of the court, and the latter that of the church. “ William the Conqueror (says Ingulphus, who was his friend and secretary) had so great an abhorrence of the English language, that he commanded all the laws and law-proceedings to be in French; and even the children at school were taught the first elements of grammar and letters in French, and not in English<sup>2</sup>. ” All Englishmen therefore who wished to appear at court, to converse with the great, or to be fit for any office, were under a necessity of acquiring the French language. But the Latin language was studied

<sup>1</sup> J. Sarisburiens. Metalog. I.2. c. 12. p. 758.

<sup>2</sup> Ingulph. Hist. p. 513. col. 1.

with still greater keenness by all who were of any learned profession, or aspired to any reputation for learning; because it was not only the language of the liturgies of the church, but that in which all the sciences were taught, all books were composed, all accounts were kept, all letters of business or compliment were written, in which all scholars daily conversed, many of the clergy preached, not only before synods and councils, but even to the common people<sup>3</sup>. Anselm, Archbishop of Canterbury, in a letter to his nephew of the same name, writes to this purpose: "I command and charge you not "to be idle, but to prosecute daily those studies "for which I left you in England. In parti- "cular, study to know all the elegancies of "grammar; accustom yourself to write some- "thing every day, especially in prose; and la- "bour to acquire a plain and rational, rather "than an intricate way of writing. Speak al- "ways in Latin, except in cases of absolute ne- "cessity<sup>4</sup>." We have some reason to believe, that even the colloquial Latin of scholars in this period was tolerably pure and elegant. Giraldus Cambrensis mentions it as a very uncommon thing, that an old hermit, with whom he frequently conversed, did not speak Latin very correctly, but sometimes violated the rules of

<sup>3</sup> Girald. Cambrensis, de Rebus a se gestis. Ang. Sacr. tom. 2. p. 491. P. Blesens. Opera, p. 262—400.

<sup>4</sup> Spicilegium Ackerii, tom. 9. p. 122.

grammar<sup>5</sup>. Some of the learned in this period had attained a very surprising facility in speaking and writing Latin. Peter of Blois, Archdeacon of Bath, asserts, that the Bishop of Bath, to whom he writes, the Archbishop of Canterbury, and several others, had seen him dictate letters in Latin, to three different scribes, on different subjects, and write a letter in the same language himself, at the same time<sup>6</sup>. It appears from the writings of several authors of the twelfth century, particularly of John of Salisbury and Peter of Blois, that they were intimately acquainted with the Latin classics, as they not only quote them very frequently, and with great propriety, but also imitate their style and manner with considerable success. These writers too recommend the study of grammar with the greatest warmth, and bestow upon it the highest praises.

“ Grammar, which is the science of speaking  
“ and writing well, is the first of all the liberal  
“ arts and sciences; the nurse, if I may so  
“ speak, of all philosophy, and of every literary  
“ study. She receives them at their birth, from  
“ the womb of nature, in a tender state, che-  
“ rishes them in their infancy, with a mother’s  
“ care, gradually improves their strength, at-  
“ tends and adorns them in every period of their

<sup>5</sup> Oh! oh! noli discere scire, sed custodire: vana est scire, nisi custodiri. Talis enim erat ei loquendi modus semper per infinitivum nec casus servabat; & tamen satis intelligi poterat. Girald. Cambrenf. Anglia Sacra, t. 2. p. 497.

<sup>6</sup> Epist. Pet. Blesens. Ep. 92. p. 143. col. 2.

“ progress.

" progress. To philosophise successfully, without grammar, is as impossible as without both eyes and ears?" In a word, whoever hath perused the works of the divines, historians, and philosophers, who wrote in France and England in the twelfth century, will readily acknowledge the truth of the following declaration of one of the most learned writers of literary history: " Before we descend to particulars, we may affirm in general, that the latinity of no age, from the decline to the revival of learning, was so terse and elegant as that of the twelfth century."<sup>7</sup>

The Greek and Hebrew languages were very far from being so much studied, so well or so generally understood in Britain, in this period, as the Latin. But as many Jews resided and taught in England, their ancient language could not be unknown. Plain evidences of some acquaintance with it, as well as with the Greek, appear in the works of Peter of Blois, John of Salisbury, and several others<sup>8</sup>. But by how many and in what degree the Hebrew and Greek languages were then understood in Britain, we are not well informed. We meet with only two Englishmen in this period who were famous for their knowledge of the Arabian language. These were Adelard of Bath, and Robert of Reading,

<sup>7</sup> J. Sarisburiens. Metalogicon, I. 1. c. 13. p. 759.

<sup>8</sup> Bulei Hist. Universitat. Parisiens. tom. 2. p. 556.

<sup>9</sup> P. Blesens. Opera, p. 596, &c. J. Sarisburiens. Metalogicon, I. 1. 10. p. 754.

who

who returned into England in the reign of Henry I., after they had spent several years in the East in learning that language, and translating books out of it into Latin.<sup>10</sup>

From the study of grammar, or the art of Rhetoric, speaking correctly, the youth of those times generally proceeded to the study of rhetoric, or the art of speaking eloquently. This part of learning was neglected, and even represented as unnecessary and useless, by some philosophers of this period, who spent their whole time, and employed all the powers of their minds, on the subtleties of Aristotelian logic, which was then the most admired and fashionable study. “Eloquence,” said they, “is either given or denied by nature. If it is given, all pains about it are unnecessary; if it is denied, all pains to acquire it will be in vain.” But the necessity and many advantages of the study of eloquence were most elegantly displayed both in prose and verse, by several writers of those times, particularly by John of Salisbury and Alan de Lisle. “The gifts of nature,” says the former, “are necessary; but they are not sufficient to make a complete orator without art and study. There is no natural genius so strong, that negligence will not enfeeble; nor so sublime, that it not will depress. No man ever attained the reputation of being superla-

<sup>10</sup> Martini & Durand. Thesaur. Anecdot. p. 292. Wallis' Algebra, p. 5.

<sup>11</sup> J. Sarisburiens. Metalogicon, l. 1. c. 7. p. 749.

“tively

“tively eloquent, even in one language, by the  
“mere force of natural genius, without the help  
“of art. For he is not to be esteemed eloquent  
“who can speak with tolerable ease and fluency,  
“and so as to be understood. He alone is  
“eloquent, who can express the thoughts of his  
“mind, and the feelings of his heart, with so  
“much sweetness, power, and energy, as not  
“only to convince and persuade, but to charm  
“and transport his hearers with delight.—  
“How admirable an accomplishment is this! If  
“wisdom and virtue merit the first place in our  
“esteem, eloquence undoubtedly claims the  
“second. How honourable is it to excel in the  
“powers of reason and perfections of speech,  
“which are the peculiar excellencies of human  
“nature? How ornamental is eloquence in  
“youth? how venerable in old age? how pro-  
“itable in every stage of life? Who attain to  
“fame and admiration, to riches, honours, and  
“preferments, to the direction of all assemblies,  
“and success in all undertakings, with so much  
“ease and certainty as the eloquent<sup>12</sup>? ” Bulæus,  
in his history of the University of Paris, gives  
several examples of eloquence from the French  
and English writers of the twelfth century, some  
of which are truly excellent, and would do  
honour to any age; but they are too long to be  
here inserted<sup>13</sup>. The verses of Alan de Lisle,

<sup>12</sup> J. Sarisburieſ. Metalogicon, I. i. c. 7. p. 749.

<sup>13</sup> Bulæus Hist. Universitat. Parisiens. tom. 2. p. 557, &c.

quoted below, will serve as a description of the rhetoric, and as a specimen of the Latin poetry of this period, and will give the candid reader no unfavourable opinion of the state of these parts of learning.<sup>14</sup>

From rhetoric the youth of this period proceeded to the study of logic, on which they employed much time and labour. Ingulphus acquaints us, that after he had made himself a perfect master of the first and second book of Tully's Rhetoric, he applied to the study of Aristotle's Logic, and made greater proficiency in it than many of his contemporaries<sup>15</sup>. This is a sufficient proof that the logic of Aristotle was studied by many of the English youth at the very beginning of this period, and even a little before. For Ingulphus had left Oxford, and settled in the court of William Duke of Nor-

<sup>14</sup> Adfunt rhetorice cultus, floresque colorum,  
Verba quibus stelata nitent, et sermo decorum  
Induit, et multa candescit clausula luce.  
Has sermonis opes vultus et fidera verbi,  
Copia rhetoricae jaetat, juvenisque loquela  
Pingit, et in vario praesignit verba colore.  
Succinctè docet illa loqui, sensusque profundos  
Sub sermone brevi concludere, claudere multa  
Sub paucis, nec diffuso sermone vagari.  
Ut breve sit verbum, dives sententia, sermo  
Facundus, multo facundus pondere sensus.  
Vel si forte fluat sermo, sub flumine verbi  
Fluminet uberior sententia, copia fructus  
Excusat, folii silvam paliasque vagantes  
Ubertas granis redimat sensusque loquela.

*Alanus de Insulis in Anticlaudiano, I. 6. c. 6.*

<sup>15</sup> Ingulph. Hist. p. 514. col. 1.

mandy,

mandy, several years before the conquest<sup>16</sup>. The truth is, that from about the middle of the eleventh century, the philosophy, and particularly the logic of Aristotle, became so much in vogue, both in France and England, that it was studied with great ardour, not only by all men who made any pretensions to learning, but even by some ladies of the highest rank. The same Ingulphus tells us, that Edgitha, the amiable consort of Edward the Confessor, after she had examined him in Latin prose and verse, often proceeded to attack him with the subtleties of logic, in which she very much excelled; and when she had entangled him with her acute and artful arguments, and obtained the victory, she always dismissed him with a present of some pieces of money<sup>17</sup>. It is well known, that the fair unfortunate Heloisa, so much beloved by the accomplished Peter Abelard, was one of the most acute logicians of the twelfth century<sup>18</sup>. The fondness of the learned for the Aristotelian logic increased so much in the course of this century, that many persons spent their whole lives in the study of it, and it was esteemed the most necessary and excellent of all the sciences<sup>19</sup>. But very unfortunately, this admired science, which had the discovery and establishment of truth for its professed object, soon degenerated into mere

<sup>16</sup> Ingulph. Hist. p. 514. col. 1.

<sup>17</sup> Id. ibid. p. 509.

<sup>18</sup> Bulæ Hist. Univer. Paris. tom. 2. p. 42.

<sup>19</sup> Id. ibid. p. 78, 79.

sophistry, and deserved no better name than that of the art of quibbling<sup>20</sup>. “ I wish (says John of Salisbury) to behold the light of truth, which these logicians say is only revealed to them. I approach them, I beseech them to instruct me, that, if possible, I may become as wise as one of them. They consent, they promise great things, and at first they command me to observe a Pythagorean silence, that I may be admitted into all the secrets of wisdom, which they pretend are in their possession. But by and by they permit, and even command, me to prattle and quibble with them. This they call disputing, this they say is logic; but I am no wiser<sup>21</sup>. ” The truth seems to be, that many studious men, in this period, by spending too much time, and employing too intense thought, on logical subtleties, run into the two extremes, of speculating sometimes on things too high and difficult, and at other times on things too low and contemptible, for human investigation. That they run into the first of these extremes there is the clearest evidence, as we find among the subjects of their investigations and disputes,—of the substantial form of sounds, —of the essence of universals, &c. &c.<sup>22</sup> That they sometimes fell into the latter extreme, is no less evident, from the many ridiculous trifling questions that were keenly agitated by them, of

<sup>20</sup> J. Sarisburien. Metalog. l. 2. c. 6. p. 794, &c.

<sup>21</sup> Id. ibid.

<sup>22</sup> Petri Blefens. Ep. 101. p. 157.

which the following one may serve for an example : When a hog is carried to market with a rope tied about its neck, which is held at the other end by a man, whether is the hog carried to market by the rope or by the man <sup>23</sup>? This appears to us to be too ridiculous to be mentioned ; but it appeared in a very serious light to the logicians of this period, who declared with great gravity, that it was one of those questions that could not be solved, the arguments on both sides were so perfectly equal. In a word, the far greatest part of the questions that were investigated by the logicians of those times, as John of Salisbury justly observes, “ were of no use, in the church “ or the state, in the cloister or the court, in “ peace or war, at home or abroad, or any where “ but in the schools.” <sup>24</sup>

Metaphysics and natural philosophy.

The metaphysics and natural philosophy of this period, though they were taught with much parade, and studied with much diligence, do not deserve the name of sciences, or merit the attention of posterity. They consisted of a prodigious number of abstract and subtle speculations, about entity and non-entity, spirit, primary matter, body, substance, accidents, substantial forms, occult qualities, solidity, extension, cohesion, rest, motion, time, place, number, magnitude, &c. which contributed nothing to the real knowledge of nature, or benefit of human life <sup>25</sup>.

<sup>23</sup> J. Sarisbur. Metalog. I. i. c. 3. p. 740.

<sup>24</sup> Id. ibid. p. 801.

<sup>25</sup> Bruckeri Hist. Philosoph. tom. 3. p. 894. 897.

Adelard of Bath, already mentioned for his skill in the Arabian language, published a dialogue, on the causes of things, between him and his nephew, who, he says, read lectures on that subject, rather perplexing than instructing his hearers<sup>26</sup>. Philip de Tahun, about the same time, composed a work on the nature of beasts, for the instruction of Alicia, the second queen of Henry I., which gives a very unfavourable view of the state of natural philosophy, as it is wholly fanciful, and turns every thing into allegory<sup>27</sup>. Henry II., who was a great patron of learning and learned men, sent Giraldus Cambrensis into Ireland, to examine the natural history of that country<sup>28</sup>: His topography of Ireland (the writing of which, he says, was the labour of three years) was the consequence of this commission; and shews how ill qualified he was for the task in which he was engaged, by the great number of ridiculous incredible stories with which it abounds. To give one example of this, out of a hundred that might be given: "When St. Kewen (says he) was one day praying with both his hands held up to heaven, out of the window of his chamber, a swallow laid an egg in one of them; and such was the patience and good-nature of the saint, that he neither drew in nor shut his hand till the swallow had

<sup>26</sup> Martini & Durand. Thesaur. Anecdot. tom. I. p. 292.

<sup>27</sup> Cotton Bib. p. 48.

<sup>28</sup> Expugnatio Hibernicae, l. 2. c. 31. p. 806.

“ built her nest, laid all her eggs, and hatched  
“ her young. To preserve the remembrance of  
“ this fact, every statue of St. Kewen in Ireland  
“ hath a swallow in one of its hands.”<sup>29</sup>

Ethics.

The observations that have now been made on the metaphysics and natural philosophy, may be applied to the ethics or moral philosophy, of this period. This science was esteemed an important part of a learned education, and as such it was taught and studied; but in so improper a manner that it contributed very little to enlighten the mind, to amend the heart, or to regulate the manners. Taking Aristotle for their guide in this, as well as in logics and physics, they disputed with much warmth and subtlety about liberty and necessity,—about the means, the ends, the acts of moral philosophy,—whether it was a practical or speculative science, &c. &c.; but took little pains to shew the foundations of moral obligation, or to illustrate the nature, limits, and motives, of the various duties of men and citizens.<sup>30</sup> This mode of philosophising was severely censured by John of Salisbury in many places.

“ They err (says he), they imprudently err, who  
“ think that virtue consists of words, as a wood  
“ of trees. No! good actions are the glory of  
“ virtue, and the inseparable companions of true  
“ philosophy. But those men who are fonder  
“ of the reputation than the reality of wisdom,

<sup>29</sup> Topographia Hiberniæ, c. 28. p. 727.

<sup>30</sup> Histoire Littéraire de la France, tom. 7. p. 188.

“ are

“ are noisy and contentious; they run about the streets, they frequent the schools, they start a thousand frivolous and perplexing questions, and confound both themselves and others by a deluge of words.”<sup>31</sup>

That extravagant fondness for Aristotelian logic, which was the reigning taste of this period, and of some succeeding ages, infected all the sciences in some degree; but most of all, divinity. It was this that produced that species of theology which was so long admired, and is so well known by the name of *school-divinity*, and its teachers by the title of *the school-men*. When these divines composed commentaries on the Scriptures, it was not with a view to explain the real meaning of the words, or to illustrate the truths that they contained, but in order to extract certain mystical or allegorical senses out of them, and to found certain curious questions upon them for subjects of disputation<sup>32</sup>. An incredible multitude of such commentaries were written in those times, which have been long ago consigned a prey to worms and dust. But the chief delight and business of the school-men was to write voluminous systems of divinity, consisting of a prodigious number of questions on all subjects, which they discussed with the greatest logical acuteness. Some of these questions were bold and impious, others trifling and curious, and not a few ob-

Theology  
or school-  
divinity.

<sup>31</sup> J. Sarisburiens. Metalog. apud Bulæi Hist. Parif. tom. 2. p. 597.

<sup>32</sup> Histoire Litteraire de la France, tom. 7. p. 205.

scene<sup>33</sup>. With their obscenities and impieties, which are truly horrid, these pages shall not be stained; and their frivolities are so ridiculous, that they are quite unworthy of a place in history. Their curiosity, though excessive, and far from being innocent, was neither so criminal as the former, nor so ridiculous as the latter, and therefore a few examples of it may be given. They canvassed, with great eagerness, the following questions, among a thousand others of the same kind: Was Christ the same between his death and resurrection, that he was before his death, and after his resurrection? Doth the glorified body of Christ stand or sit in heaven? Is the body of Christ that is eaten in the sacrament, dressed or undressed? Were the clothes in which Christ appeared to his disciples after his resurrection real or only apparent? &c. &c.<sup>34</sup>

Canon  
law.

The bishops of Rome had long been engaged in the ambitious project of erecting a spiritual monarchy, superior to all others, even in worldly power. With this view they had assembled many councils, composed of prelates from all Christian countries, in which they had enacted many laws, commonly called *canons*, for the government of that monarchy. This obliged the bishops, and their officials, to make the canons of the church their study, in order to

<sup>33</sup> Erasmi Encomium Moriae. Launocus de Fortun. Aristot. c. 14. p. 273, &c.

<sup>34</sup> Bulæi Hist. Univers. Parisienf. tom. 2. p. 613. Histoire Literaire de la France, tom. 7. p. 208, 209.

direct

direct them when they acted as judges in their spiritual courts. But it was not till after the publication of the decretals of Gratian, about the middle of the twelfth century, that the canon law attained the rank of a science, and was taught and studied in the schools<sup>35</sup>. It soon became the most fashionable study among the clergy, as it was found to pave their way to the highest honours and the richest benefices. Long before the end of this period, it was taught with great applause and profit at Oxford, Paris, Orleans, and many other places<sup>36</sup>. But the subtleties of the Aristotelian logic gave a tincture to this as well as to the other sciences, which made John of Salisbury complain, — “ That the laws themselves were become traps and snares, in which plain honest men, who were unacquainted with logical quirks and subtleties, were catched<sup>37</sup>. ” Peter of Blois speaks with still greater severity of some students and practitioners in the canon law : “ It is the chief study of the ecclesiastical judges of our days, to multiply litigations, to invent delays, to invalidate contracts, to suppress truth, to encourage falsehood, to increase extortions, and, in a word, to confound all law and justice, by their quirks and subtleties.”<sup>38</sup>

<sup>35</sup> Hist. Literaire de la France, tom. 9. p. 215.

<sup>36</sup> Hugo Sacré Antiq. Monument. tom. 1. p. 505. Bulæ Hist. Univers. Parisien. tom. 2. p. 580.

<sup>37</sup> J. Sarisburiens. de Nugis Curialium, l. 5. c. 16. p. 314.

<sup>38</sup> P. Blefensi. Ep. 25. p. 45. col. 1.

Civil law.

The study of the Roman or civil law, was introduced into England about the same time with that of the canon law. From the departure of the Romans, their laws were little known, and of no authority in this island, for more than seven hundred years<sup>39</sup>. But the study of them having been revived at Bononia, Paris, and other seminaries of learning on the continent, about A.D. 1130., it soon after made its way into England. A copy of the Justinian code, as hath been already observed, was brought from Rome by some of the family of Archbishop Theobald, A.D. 1140.; and a few years after, Roger Vacarius, prior of Beck in Normandy, opened a school at Oxford, in which he read lectures on the civil law to very crowded audiences<sup>40</sup>. But King Stephen, A.D. 1149., imposed silence on Vacarius; who returned into Normandy, and was chosen abbot of Beck<sup>41</sup>. A kind of persecution was raised against the professors and students of the civil law, by the common lawyers, and others; but John of Salisbury says, “That, by “the blessing of God, the more the study of it “was persecuted, the more it flourished<sup>42</sup>.” Henry II., who succeeded Stephen, being a much greater politician, was far from discouraging the study of the civil law; which, in conjunction with that of the canon law, prevailed very much in the universities, but still more in the cathedral

<sup>39</sup> Selden Not. Flet. c. 7. sect. 2.<sup>40</sup> A. Wood Hist. Oxon. p. 52. col. I.<sup>41</sup> J. Sarisburiens. Policrat. l. 8. c. 22. p. 672.<sup>42</sup> Id. ibid.  
schools.

schools. We learn from a very curious letter of Peter of Blois, that the most intricate and knotty questions in law and politics were sometimes referred to the teachers and students of the civil and canon law in the family of Archbishop Theobald, or archiepiscopal school of Canterbury: "In the house of my master, the Arch-  
" bishop of Canterbury, there are several very  
" learned men, famous for their knowledge of  
" law and politics, who spend the time between  
" prayers and dinner in lecturing, disputing,  
" and debating causes. To us all the knotty  
" questions of the kingdom are referred, which  
" are produced in the common hall, and every  
" one in his order, having first prepared himself,  
" declares, with all the eloquence and acuteness  
" of which he is capable, but without wrang-  
" ling, what is wisest and safest to be done. If  
" God suggests the soundest opinion to the  
" youngest amongst us, we all agree to it with-  
" out envy or detraction."<sup>43</sup>

Though the common law of England was not Common  
yet taught in the schools as a science, it was law.  
studied with great diligence as a profession; and many persons, by their skill in it, acquired both fame and wealth, and obtained the highest offices in the state. The greatest number of these professional lawyers were clergymen, though some of the laity, as, particularly, Aubury de Vere, who flourished in the reign of King

<sup>43</sup> P. Blesenf. Ep. 6. p. 8. col. 2.

Stephen, and Ranulph de Glanville, who was chief justiciary to Henry II. and Richard I., are much celebrated for their knowledge of the common law<sup>44</sup>. The last of these sages composed a kind of system of the common law, with this title, *De legibus et consuetudinibus Angliae*<sup>45</sup>. But it was not till some time after the conclusion of this period that the law-college of London, commonly called *The inns of court*, was established; which contributed very much to the improvement of this useful and lucrative branch of learning.<sup>46</sup>

As the subtleties of Aristotelian logic could not be applied with success to numerical calculations or mathematical demonstrations, these sciences do not seem to have been much studied, or improved, in this period; and therefore a few short observations on the state of them will be sufficient.

Arith-  
metic.

Nothing ever contributed so much to facilitate arithmetical operations, as the invention of the Arabian figures for representing numbers. But whether these figures were known and used in Britain in this period, is a little doubtful. From the revenue-rolls of Henry II., Richard I., and King John, it appears that they were not then used in the exchequer; for all the sums in these rolls are marked in Roman letters<sup>47</sup>. But

<sup>44</sup> W. Malmf. Hist. Novel. l. 2. p. 104.

<sup>45</sup> Dugdale's Origines Juridicales, p. 56. col. 2.

<sup>46</sup> Id. ibid. p. 141.

<sup>47</sup> Madox Hist. Excheq. passim.

the learned Dr. Wallis hath produced several authorities, which make it very probable, that the Arabian arithmetic, called *algorism*, performed by the Arabian figures, was known to some learned men in England in the twelfth century; and indeed it is hardly possible that Adelard of Bath, Robert of Reading, and several others, who travelled into Spain, Egypt, and other countries, in the course of that century, to make themselves masters of the Arabian language and learning, could have returned without some knowledge of these figures.<sup>49</sup>

Though the Elements of Euclid, and several Geometry. other treatises on geometry, were translated out of the Greek and Arabian languages into Latin in this period, we have the clearest evidence that this most useful science was very little studied. “The science of demonstration “(says John of Salisbury) is of all others the “most difficult; and, alas! is almost quite “neglected, except by a very few who apply to “the study of the mathematics, and particularly “of geometry. But this last is at present very “little attended to amongst us, and is only “studied by some people in Spain, Egypt, and “Arabia, for the sake of astronomy. One “reason of this is, that those parts of the works “of Aristotle that relate to the demonstrative “sciences, are so ill translated, and so incor-“rectly transcribed, that we meet with insur-

<sup>49</sup> Wallis Algebra, ch. 4.

“ mountable

" mountable difficulties in every chapter<sup>59</sup>." After so decisive a testimony of one who was so well acquainted with the state of learning in the age in which he flourished, it is in vain to look for any great improvements in geometry in this period.

Astrono-  
my.

When geometry was so much neglected, astronomy could not be successfully cultivated. There is, however, sufficient evidence, that a considerable degree of attention was paid to the motions, situations, and aspects, of the heavenly bodies; though it is probable that this was done rather with a view to astrological predictions, than to discover the true system of the universe. Several treatises on astronomy were translated out of the Greek and Arabian languages into Latin, particularly the planisphere of Ptolemy by Ralf of Bruges, and a treatise on the astrolabe by Adelard of Bath<sup>60</sup>. The astrolabe, which seems to have been much the same with the armillary sphere of the moderns, was used in taking observations of the sun and stars<sup>61</sup>. Ingulphus laments the loss of an astronomical table, more than of any thing else, that was destroyed when his abbey of Croyland was burnt, A. D. 1091. He calls it a *Nadir*, and describes it in this manner: " We then lost a most beautiful and precious " table, fabricated of different kinds of metals, " according to the variety of the stars and

<sup>59</sup> J. Sarisburiens. Metalog. l. 4. c. 6. p. 887.

<sup>60</sup> Vossius de Math. c. 63. <sup>61</sup> Du Cange Gloss. voc. *Astrolabium*

" heavenly

“heavenly signs. Saturn was of copper, Jupiter of gold, Mars of iron, the Sun of latten, Mercury of amber, Venus of tin, the Moon of silver. The eyes were charmed, as well as the mind instructed, by beholding the colure circles, with the zodiac and all its signs, formed with wonderful art, of metals and precious stones, according to their several natures, forms, figures, and colours. It was the most admired and celebrated Nadir in all England.”

From the above description of this curious table, it appears to have been a delineation of the Ptolemaean system, the centre of it representing the earth, and the planets placed around it exactly in the order of that system.

None of the mathematical sciences were cultivated with so much diligence, in this period, as the fallacious one of judicial astrology. None indeed were honoured with the name of mathematicians but astrologers, who were believed by many to possess the precious secret of reading the fates of kingdoms, the events of war, and the fortunes of particular persons, in the face of the heavens. “Mathematicians (says Peter of Blois) are those who, from the position of the stars, the aspect of the firmament, and the motions of the planets, discover things that are to come.” These pretended prognosticators were so much admired and credited, that there

Astrology.

<sup>52</sup> Hist. Ingulph. Oxoniæ edit. A. D. 1685. tom. i. p. 98.

<sup>53</sup> P. Blefens. Opera, p. 596. col. 1.

was hardly a prince, or even an earl or great baron, in Europe, who did not keep one or more of them in his family, to cast the horoscopes of his children, discover the success of his designs, and the public events, that were to happen<sup>54</sup>. The most famous of these astrologers published a kind of almanacs every year, containing schemes of the planets for that year, with a variety of predictions concerning the weather, and other events. We have the following quotation from one of these almanacs, in a letter of John of Salisbury: “The astrologers call this year (1170.) the wonderful year, from the singular situation of the planets and constellations, and say — that in the course of it the councils of kings will be changed, wars will be frequent, and the world will be troubled with seditions; that learned men will be disengaged; but towards the end of the year they will be exalted<sup>55</sup>. ” From this specimen we may perceive, that their predictions were couched in very general and artful terms. But by departing from this prudent conduct not long after this, and becoming a little too plain and positive, they brought a temporary disgrace on themselves and their art. For, in the beginning of the year 1186., all the great astrologers in the Christian world agreed in declaring, that, from an extraordinary conjunction of the planets in the

<sup>54</sup> Hoveden. Annal. p. 356.

<sup>55</sup> Epistol. T. Cantuar. l. 2. Ep. 48. p. 388, 389.

sign Libra, which had never happened before, and would never happen again, there would arise, on Tuesday, September 16th, at three o'clock in the morning, a most dreadful storm, that would sweep away not only single houses, but even great towns and cities; — that this storm would be followed by a destructive pestilence, bloody wars, and all the plagues that had ever afflicted miserable mortals<sup>56</sup>. This direful prediction spread terror and consternation over Europe, though it was flatly contradicted by the Mahometan astrologers of Spain, who said, there would only be a few shipwrecks, and a little failure in the vintage and harvest<sup>57</sup>. When the awful day drew near, Baldwin Archbishop of Canterbury, commanded a solemn fast of three days to be observed over all his province. But to the utter confusion of the poor astrologers, the 16th of September was uncommonly serene and calm, the whole season remarkably mild and healthy; and there were no storms all that year (says Gervase of Canterbury), but what the Archbishop raised in the church by his own turbulence<sup>58</sup>. In the midst of the general wreck of astrological reputation, William, astrologer to the constable of Chester, saved his character, by subjoining to his prediction this alternative, — “If ‘the nobles of the land will serve God, and fly ‘from the devil, the Lord will avert all these

<sup>56</sup> Hoveden. Annal. p. 356.

<sup>57</sup> Id. p. 358.

<sup>58</sup> Gervas Chron. apud X Script. col. 1479.

“impend-

"impending plagues<sup>59</sup>." But though astrology was in itself deceitful, and sometimes involved its professors in disgrace, it contributed greatly to promote the study of astronomy; and there is the clearest evidence, that the astrologers of this period could calculate eclipses, could find the situation of the planets, and knew the times in which they performed their revolutions, &c.<sup>60</sup>

## Medicine.

Medicine had been practised as an art in Britain in the darkest ages. In this period it began to be studied as a science. The medical schools of Salernum in the kingdom of Naples, and of Montpelier in France, were famous in those times, and frequented by many persons from all parts of Europe<sup>61</sup>. This science was also taught and studied in the universities of Paris and Oxford<sup>62</sup>. But the following description of the theoretical and practical physicians of the twelfth century, given by one of the most learned and ingenious men who flourished in that age, will present us with a more satisfactory view of the state of medicine in this period, than any thing that can be said by any modern writer.

"The professors of the theory of medicine are  
 "very communicative; they will tell you all  
 "they know, and perhaps, out of their great

<sup>59</sup> Hoveden. Annal. p. 357. col. 1.

<sup>60</sup> Id. ibid. p. 358.

<sup>61</sup> Opera J. Freind. p. 535. J. Sarisburiens. Metalog. l. 1. c. 4. p. 743.

<sup>62</sup> Bulæ Hist. Univers. Parif. tom. 2. p. 575. A Wood. Hist. Uni-  
vers. Oxon. p. 46. col. 2.

“ kindness, a little more. From them you may  
“ learn the natures of all things, the causes of  
“ sickness and of health, how to banish the one  
“ and to preserve the other; for they can do  
“ both at pleasure. They will describe to you  
“ minutely the origin, the beginning, the pro-  
“ gress, and the cure of all diseases. In a word,  
“ when I hear them harangue, I am charmed, I  
“ think them not inferior to Mercury or Escu-  
“ lapius, and almost persuade myself that they  
“ can raise the dead. There is only one thing  
“ that makes me hesitate. Their theories are  
“ as directly opposite to one another as light and  
“ darkness. When I reflect on this I am a little  
“ staggered. Two contradictory propositions  
“ cannot both be true. But what shall I say of  
“ the practical physicians? I must say nothing  
“ amiss of them. It pleaseth God, for the pu-  
“ nishment of my sins, to suffer me to fall too  
“ frequently into their hands. They must be  
“ soothed, and not exasperated. That I may  
“ not be treated roughly in my next illness, I  
“ dare hardly allow myself to think in secret  
“ what others speak aloud.” In another work  
this writer picks up more courage, and speaks  
his mind of the practical physicians with equal  
freedom. “ They soon return from college, full  
“ of flimsy theories, to practise what they have  
“ learned. Galen and Hippocrates are conti-  
“ nually in their mouths. They speak apho-

<sup>63</sup> J. Sarisburiens. Policrat. l. 2. c. 29. p. 147.

" rises on every subject, and make their hearers  
 " stare at their long, unknown, and high sounding  
 " words. The good people believe that they  
 " can do any thing, because they pretend to all  
 " things. They have only two maxims which  
 " they never violate; never mind the poor—  
 " never refuse money from the rich."<sup>64</sup>

The clergy  
the chief  
physicians.

The clergy were almost the only persons in this period who taught and practised physic, as well as the other sciences; and we meet with very few celebrated for their medical knowledge who were not priests or monks. This profession became so lucrative, and so many monks applied to the study and practice of it, deserting their monasteries, and neglecting their own profession, that a canon was made in the council of Tours, A. D. 1163., prohibiting monks to stay out of their monasteries above two months at one time, teaching or practising physic<sup>65</sup>. No restraint of this kind was laid on the secular clergy, and many of the bishops and other dignitaries of the church acted as physicians in ordinary to kings and princes, by which they acquired both riches and honour<sup>66</sup>. These very reverend physicians drew much of their medical knowledge from the writings of Rhazes, Avicenna, Avenzoar, Averhois, and other Arabians, whose works had been translated into Latin by Constantine, a

<sup>64</sup> J. Sarisburiens. Metalog. l. i. c. 4. p. 743.

<sup>65</sup> Bulæ Hist. Univers. Parisien. tom. 2. p. 575. Concil. tom. 10. p. 986. 1004. 1421.

<sup>66</sup> Histoire Littéraire de la France, tom. 9. p. 193, 194.

monk of Mount Casine, near Salernum, and others<sup>67</sup>. It will not perhaps be disagreeable to some medical readers to see the description and treatment of a particular disease by one of their predecessors in the art of healing in England, about six hundred years ago, which they will find in the Appendix No. 3.

It is not improbable that the scientific way of teaching and studying physic, which was introduced by the medical schools of the eleventh and twelfth centuries, gave rise to the distinction between physicians and surgeons, which appears to have taken place towards the end of this period. For a contemporary poet in describing the attempts that were made to cure the wound which Richard I. received before the castle of Chalus, A.D. 1199., plainly distinguishes these two professions, and the different parts they acted on that occasion<sup>68</sup>. There is even sufficient evidence, that some persons about the same time, applied more particularly to the study of the *materia medica*, and the composition of medicines, and were on that account called apothecaries. We are told in the annals of the church of Winchester, that Richard Fitz-Nigel, who died bishop of London A.D. 1198., had been apoth-

Distinc-  
tion be-  
tween  
physicians  
and sur-  
geons.

Richard I.  
ad hoc  
annales  
beginning

<sup>67</sup> Opera J. Freind, p. 533, &c.

<sup>68</sup> Inter ea regem circumstant undique mixtim,  
Apponunt medici fomenta, secantque chirurgi  
Yulnus, ut inde trahant ferrum leviore periculo.

Pasquier Recherches, l. 9. c. 31.

cary to Henry II.<sup>69</sup> Whoever will give himself the trouble to peruse the prescriptions of the Salernian school, which were written in the eleventh century for the use of a king of England, will perceive, that the *materia medica* of those times was far from being scanty, and that they were acquainted with some very complicated and artificial mixtures, particularly *theriac*, which consists of above fifty ingredients.<sup>70</sup>

Sciences  
that were  
neglected.

It seems to be impossible to give any satisfactory account of the state of experimental philosophy, anatomy, chemistry, botany, and some other parts of learning, from the genuine monuments of this period; which plainly indicates that these sciences were then either totally neglected, or very little cultivated.

The cir-  
cle of the  
sciences  
enlarged.

By comparing the above delineation of the state of learning, with that which was given of it in the former period, we cannot but observe, that the circle of the sciences was now considerably enlarged, and that some of them were cultivated with greater diligence and success<sup>71</sup>. This is agreeable to the testimony of the best contemporary historians. “ Before the arrival “ of the Normans (says William of Malmes-“ bury), learning was almost extinct in Eng-“ land. The clergy contented themselves with “ the slightest smattering of letters, and could “ hardly stammer through the offices of the

<sup>69</sup> *Anglia Sacra*, tom. i. p. 304.

<sup>70</sup> *Medicina Salernitana*, c. 13. p. 119.

<sup>71</sup> See book 2. ch. 4.

" church. If any one amongst them understood " a little grammar, he was admired as a pro- " digy<sup>72</sup>." But so sudden and advantageous a change in this respect took place after the conquest, that the same sensible writer acquaints us, that learning was in a more flourishing state in England and Normandy, so early as the reign of Henry I. than it was in Italy<sup>73</sup>. This happy change seems to have been owing to the following causes :

The accession of William Duke of Normandy to the throne of England, contributed in several ways to the revival of learning in Britain. That prince had received a good education, was fond of reading, and the conversation of learned men, to whom he was a most munificent patron, advancing them to the highest dignities and richest benefices in the church<sup>74</sup>. This had excited an extraordinary ardour for literary pursuit, among the clergy in Normandy, and had afterwards the same effect in England. Besides this, many of the most learned men on the continent came over into Britain, after the conquest, and by their example and instructions diffused the love and knowledge of letters. William took great care of the education of his royal offspring, and Henry I., his youngest son, became the most learned prince, and the greatest promoter of learning, of the age in which he flourished.

Causes of  
the im-  
prove-  
ment of  
learning.

<sup>72</sup> W. Malmf. l. 3. p. 57.

<sup>73</sup> Id. l. 5. p. 90.

<sup>74</sup> W. Gemitens, p. 604. edit. a Camdeno. Orderic. Vital. p. 656.

This procured him the surname of *Beauchlerk*, or the fine scholar<sup>75</sup>. He married his only daughter, the heiress of all his dominions, to Geoffrey Plantagenet, Earl of Anjou, who is greatly celebrated for his learning<sup>76</sup>. The eldest son of this marriage, Henry II., received a learned education, under the direction of his excellent uncle, Robert Earl of Gloucester, who was more illustrious for his knowledge and virtue than his royal birth<sup>77</sup>. Henry II. never lost that taste for letters he had acquired in his youth; and through his whole life, as we are assured by one who was intimately acquainted with him, he spent his leisure hours, either in reading, or in discussing some literary question in a circle of learned men<sup>78</sup>. His three sons, Henry, Geoffrey, and Richard, had all a considerable tincture of letters, and a taste for poetry<sup>79</sup>. Under the patronage of these great princes, learning could hardly fail to revive, and in some degree to flourish.

The increase of monasteries one cause of the improvements in learning.

The erection of above one hundred monasteries in England, in the course of this period, may be reckoned among the causes of the revival of learning,—by increasing the number both of teachers and students,—by multiplying

<sup>75</sup> Martin. Anec. l. 3. p. 345. J. Brompt. apud X Script. p. 978.  
H. Knighton. Ibid. p. 2374.

<sup>76</sup> D. Acherii Spicileg. l. 10. p. 508.

<sup>77</sup> Gervas Chron. p. 1358. W. Malmf. l. 5. p. 96.

<sup>78</sup> P. Blefens. Ep. 66. p. 98.

<sup>79</sup> Histoire Litteraire de la France, tom. 9. p. 175.

the inducements to pursue, and the opportunities to acquire knowledge,—but chiefly by making books much more common and attainable than they had been in any former period. It will by and by appear that every convent was a kind of college in which several parts of learning were taught and studied<sup>80</sup>. The government of these religious houses was commonly bestowed on men of learning; and being attended with considerable degrees of power and dignity, afforded strong incentives to study. A library was then esteemed so essential to a monastery, that it became a proverb, “A convent ‘without a library, is like a castle without an ‘armory<sup>81</sup>.’” Some of these monastic libraries were very valuable. Though the abbey of Croyland was burnt only twenty-five years after the conquest, its library then consisted of nine hundred volumes, of which three hundred were very large<sup>82</sup>. To provide books for the use of the church, and for furnishing their libraries, there was in every monastery a room called the *Scriptorium*, or writing chamber, in which several of the younger monks were constantly employed in transcribing books; and to which, in some monasteries, considerable revenues were appropriated<sup>83</sup>. A noble Norman, who was a great encourager of learning, left his own library to that of the abbey of St. Albans, A.D. 1086.,

<sup>80</sup> See Section 3.

<sup>81</sup> Martin. Anec. tom. I. col. 511.

<sup>82</sup> Historia Ingulphi, Oxon. edit. p. 98.

<sup>83</sup> Du Cange Gloss. voc. *Scriptorium*.

and granted two-thirds of the tithes of Hatfield, and certain tithes in Redburn, to support the writers in the scriptorium of that abbey<sup>84</sup>. Where there were no fixed revenues for defraying the expences of procuring books for the library, the abbot, with the consent of the chapter, commonly imposed an annual tax on every member of the community for that purpose<sup>85</sup>. The monks of some monasteries, in this period, were bitterly reproached for the extravagant sums they expended on their libraries.<sup>86</sup>

Art of  
making  
paper an-  
other cause  
of this.

The art of making paper, which was invented in the course of this period, contributed also to the revival of, and more general application to, learning, by rendering the acquisition of books much less difficult and expensive than it had formerly been. We have not the satisfaction of knowing to whom we are indebted for that most useful invention. But it appears that our paper was at first made of cotton; and, on that account, called *charta bombycina*, or *cotton paper*; and that towards the end of the eleventh or beginning of the twelfth century, it began to be made of linen rags, as it is at present.<sup>87</sup>

Croisades  
another  
cause of  
this.

Though the learned authors of the literary history of France are of opinion that the Croisades proved an impediment to the progress of learning, I am more inclined to think, with the

<sup>84</sup> M. Paris Vita Abbatum, p. 32.

<sup>85</sup> Mabell. Annal. tom. 6. p. 651, 652.

<sup>86</sup> Martin. Col. Script. tom. I. p. 1020, 1021.

<sup>87</sup> Murator. Antiq. tom. 3. col. 871.

judicious and elegant historian of Charles V. that they had a contrary effect<sup>28</sup>. That the sciences, as well as the arts, were in a more flourishing state in the Greek empire, and the East, than in those countries which had composed the western empire, is acknowledged on all hands. It seems therefore highly probable, that some of those ingenious and inquisitive men, of which the number was not small, who accompanied the Croisaders in their expeditions into the East, acquired some sciences which they could not have acquired in their own countries, and that they communicated their acquisitions to their countrymen on their return home.

## SECTION II.

*History of the most learned men who flourished in Britain,  
from A. D. 1066. to A. D. 1216.*

THOUGH the circle of the sciences was enlarged, and learning was cultivated with greater assiduity in this than in the former period ; yet this was chiefly, or rather almost only by the clergy. The great body of the people, and even the far greatest part of the nobility, still continued illiterate, or had but a very slight acquaintance with letters. Of this, if it were

Learning  
chiefly  
among the  
clergy.

<sup>28</sup> *Histoire Literaire de la France*, tom. 9. p. 16. Dr. Robertson's *History of Charles V.* vol. 1. p. 26.

necessary,

necessary, many proofs might be produced ; but the following one, it is presumed, will be sufficient. After the flight of Archbishop Becket out of England, A.D. 1164., Henry II. sent a most splendid embassy to the Pope, consisting of one archbishop, four bishops, three of his own chaplains, the Earl of Arundel, and other three of the greatest barons of the kingdom. When these ambassadors were admitted to an audience, and four of the prelates had harangued the Pope and cardinals in Latin, the Earl of Arundel stood up, and made a speech in English, which he began in this manner : “ We who are illiterate laymen do not understand one word of what the bishops have said to Your Holiness.” We may be almost certain, that if Henry, who was a learned prince, could have found men of learning amongst his nobility, he would have sent them on this embassy. The truth is, that the general ignorance of the laity of all ranks was so well known, that the historians of this period frequently distinguish the clergy from the laity, by calling the former *literati*, and the latter *laici*<sup>2</sup>. Our readers therefore need not be surprised to find, that all the learned men mentioned in this section belonged either to the secular or regular clergy.

The laws of general history, and the limits of this work, will admit only of a very brief ac-

<sup>1</sup> Vita S. Thomæ, l. 2. c. 9. p. 74.

<sup>2</sup> Ingulph. Hist. edit. Oxon. p. 102.

count of a few who were most eminent for their learning in every period.

Ingulph, Abbot of Croyland, and author of the <sup>Ingulphus.</sup> history of that abbey, was born in London about A. D. 1030. He received the first part of his education at Westminster; and when he visited his father, who belonged to the court of Edward the Confessor, he was so fortunate as to engage the attention of Queen Edgitha. That amiable and learned princess took a pleasure in examining our young scholar on his progress in grammar, and in disputing with him in logic; nor did she ever dismiss him without some present as a mark of her approbation<sup>3</sup>. From Westminster he went to Oxford, where he applied to the study of rhetoric and of the Aristotelian philosophy, in which he made a greater proficiency than many of his contemporaries<sup>4</sup>. When he was about twenty-one years of age, he was introduced to William Duke of Normandy (who visited the court of England A. D. 1051.), and made himself so agreeable to that prince, that he appointed him his secretary, and carried him with him into his own dominions. In a little time he became the prime favourite of his prince, and the dispenser of all preferments, humbling some and exalting others at his pleasure; in which difficult station, he confessed he did not behave with a proper degree of modesty and prudence<sup>5</sup>.

<sup>3</sup> Ingulph. Hist. edit. Oxon. 1.1. p.62. Tanner Bibliothec. p. 429.

<sup>4</sup> Ibid. p.73.

<sup>5</sup> Id. ibid.

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This excited the envy and hatred of many of the courtiers: to avoid the effects of which, he obtained leave from the Duke to go in pilgrimage to the Holy Land, which was then become fashionable. With a company of thirty horsemen, he joined Sigfrid, Duke of Mentz, who, with many German nobles, bishops, clergy, and others, was preparing for a pilgrimage to Jerusalem. When they were all united, they formed a company of no fewer than seven thousand pilgrims. In their way they spent some time at Constantinople, performing their devotions in the several churches. In their passage through Lycia, they were attacked by a tribe of Arabs, who killed and wounded many of them, and plundered them of a prodigious mass of money. Those who escaped from this disaster, at length reached Jerusalem, visited all the holy places, and bedewed the ruins of many churches with their tears, giving money for their reparation. They intended to have bathed in Jordan, but being prevented by the roving Arabs, they embarked on board a Genoese fleet at Joppa, and landed at Brundusium, from whence they travelled through Apulia to Rome. Having gone through a long course of devotions in this city, at the several places distinguished for their sanctity, they separated, and every one made the best of his way into his own country. When Ingulph and his company reached Normandy, they were reduced to twenty half-starved wretches, without money, clothes, or horses. A faithful

picture

picture of the foolish disastrous journeys into the Holy Land, so common in those times. Ingulph was now so much disgusted with the world, that he resolved to forsake it, and become a monk in the abbey of Fontenelle in Normandy ; in which, after some years, he was advanced to the office of prior. When his old master was preparing for his expedition into England, A.D. 1066., he was sent by his abbot with one hundred marks in money, and twelve young men, nobly mounted and completely armed, as a present from their abbey. Ingulph having found a favourable opportunity, presented his men and money to his prince, who received him very graciously ; some part of the former affection for him reviving in his bosom. In consequence of this he raised him to the government of the rich abbey of Croyland in Lincolnshire, A.D. 1076., in which he spent the last thirty-four years of his life, governing that society with great prudence, and protecting their possessions from the rapacity of the neighbouring barons by the favour of his royal master. The lovers of English history and antiquities are much indebted to this learned abbot for his excellent history of the abbey of Croyland, from its foundation, A. D. 664., to A.D. 1091., into which he hath introduced much of the general history of the kingdom, with a variety of curious anecdotes that are no where else to be found.

<sup>6</sup> Vide Hist. Ingulph. a Savilio edit. London 1594. Oxon. 1684.

Ingulph

Ingulph died of the gout, at his abbey, 1st December A. D. 1109., in the seventy-ninth year of his age.<sup>7</sup>

Lanfranc.

Lanfranc, Archbishop of Canterbury, was born at Pavia, A. D. 1005., where he was educated in grammar and logic<sup>8</sup>. After the death of his father, he spent some years in the study of rhetoric and civil law, at Bologna; from whence he returned to his native city, and commenced an advocate in the courts of law<sup>9</sup>. Thinking this too narrow a sphere, he removed into France, and opened a school at Avranche, which was soon crowded with students of high rank<sup>10</sup>. In a journey to Roane, he had the misfortune to be robbed, and left bound in a wood, where he was found next morning by some peasants, who carried him, almost dead, to the abbey of Bec. Here he was treated with so much tenderness that when he recovered, he became a monk in that abbey, A. D. 1041.<sup>11</sup> At the end of three years he was chosen prior of his convent, and opened a school, which in a little time became very famous, and was frequented by students from all parts of Europe<sup>12</sup>. Amongst others, some of the scholars of Berenger, Archdeacon of Angers, and master of the academy of Tours,

<sup>7</sup> Continuat. Hist. Croyland, p. 112.

<sup>8</sup> Mabil. Act. tom. 9. p. 659.

<sup>9</sup> Id. ibid. p. 360.

<sup>10</sup> Histoire Literaire de la France, tom. 8. p. 261.

<sup>11</sup> Du Pin Eccles. Hist. cent. II. c. 3. Gervas, apud X Script. col. 1652.

<sup>12</sup> Histoire Literaire de la France, tom. 8. p. 262.

left that school, and went to study at the abbey of Bec. This, it is said, excited the envy of Berenger, and gave rise to that long and violent controversy between him and Lanfranc, on the subject of the eucharist, which made a mighty noise in the church<sup>13</sup>. When our author resided in the abbey of Bec, his literary fame procured him the favour of his sovereign, William Duke of Normandy, who made him one of his counsellors, employed him in an important embassy to the Pope, and appointed him, A.D. 1062., abbot of his newly erected monastery of St. Stephen's, at Caen<sup>14</sup>. Here he established a new academy, which became no less famous than his former one at Bec. When the see of Canterbury became vacant by the deposition of Stigand, the Conqueror procured his election to that see, August 15th, A.D. 1070., and with some difficulty prevailed upon him to accept of that high station<sup>15</sup>. He proved a great benefactor to the church of Canterbury, by asserting its right to the primacy of England, — by recovering many of its possessions, — and by rebuilding the cathedral<sup>16</sup>. He enjoyed a high degree of the favour of William I., and had the chief direction of all affairs, both in church and state, under William II. to the time of his death, which happened May 28th, A.D. 1089., in the

<sup>13</sup> Histoire Littéraire de la France, tom. 8. p. 263.

<sup>14</sup> Id. ibid. p. 266. <sup>15</sup> Eadmer. Hist. Novel. l. 1. p. 6.

<sup>16</sup> Id. ibid. p. 7. Gervas, col. 1653. 1292. J. Brompt. Ibid. col. 970—972.

eighty-fourth year of his age<sup>17</sup>. Several of our ancient historians who were almost his contemporaries, speak in very advantageous terms of the genius and erudition of Lanfranc; and some of them who were personally acquainted with him, represent him as the most learned man of the age in which he flourished<sup>18</sup>. His writings consist of commentaries on St. Paul's epistles, sermons on various subjects, letters, and his famous treatise on the eucharist against Berenger, in which he employed all his abilities in support of that opinion which had been broached by Paschasius Radbertus, in the gloom of the ninth century, had been gradually gaining ground among the clergy through the tenth and eleventh, and terminated in transubstantiation towards the end of the twelfth<sup>19</sup>. This treatise had rendered Lanfranc a prodigious favourite with the literary historians of the church of Rome, who load him with the most extravagant and lavish praises.<sup>20</sup>

**Anselm.**

Anselm, Archbishop of Canterbury, the disciple and successor of Lanfranc, was born at Aoust in Piedmont, A. D. 1034., of noble and pious parents, who were at great pains to give him a good education<sup>21</sup>. Having lost his mo-

<sup>17</sup> J. Brompt. col. 986. Gervas, p. 1655.

<sup>18</sup> Anglia Sacra, tom. 2. p. 223. Eadmeri Hist. p. 6. W. Malmes. l. 3. p. 61. col. 2.

<sup>19</sup> Opera Lanfran. a d'Acher. edit. Paris, 1648. Du Pin, Eccles. Hist. cent. 9. c. 7. Opera P. Blefens. p. 219. col. 1. p. 644. col. 1.

<sup>20</sup> Histoire Literaire de la France, l. 8. p. 260—305.

<sup>21</sup> Anselmi Vita, l. 1. p. 2.

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ther Ermengarda, when he was about seventeen years of age, he abandoned his studies, and indulged his youthful passions to such a degree, that his father refused to see him, or admit him into his house; on which he left his native country and travelled into France. After some time, attracted by the fame of Lanfranc, he settled at the abbey of Bec, and prosecuted his studies with so much ardour under that great master, that he excelled all his fellow-students in learning.<sup>23</sup> Having become a monk in that abbey, A. D. 1060., he was chosen, three years after, to succeed Lanfranc, both as prior, and teacher of the sciences; in both which stations he acquitted himself so much to the satisfaction of the society, that he was unanimously elected abbot, on the first vacancy, A. D. 1078.<sup>23</sup> The abbey of Bec had several estates in England, which obliged our abbot sometimes to visit this kingdom; and in these visits he gained the friendship of some of the greatest men. He happened to be here A. D. 1193., when William II., in a fit of sickness, was prevailed upon to fill the see of Canterbury, which he had kept four years vacant, and nominated him to that high office. After a long and obstinate opposition to his own advancement, in which some persons suspected his sincerity, he was consecrated December 4th, A. D. 1093.<sup>24</sup> The quarrels of this prelate

<sup>23</sup> Anselmi Vita. l. 1. p. 3.

<sup>23</sup> Id. ibid. p. 9.

<sup>24</sup> Eadmer. Hist. p. 16—21.

with William II., and afterwards with Henry I., about investitures, have been already mentioned<sup>25</sup>. These obliged him to spend much of his time on the continent, and rendered his pontificate uncomfortable to himself and hurtful to the kingdom. After a tedious indisposition, he expired at Canterbury April 21st, A. D. 1109., in the sixty-sixth year of his age<sup>26</sup>. Anselm was one of the most voluminous writers of the age in which he flourished, as any one may be convinced, by perusing the catalogue of his works in the books quoted below<sup>27</sup>. He excelled chiefly in logic and metaphysics, and the application of them to theological subjects; which made him to be considered as one of the fathers of scholastic divinity.

**Eadmerus.** Eadmerus, the faithful friend and historian of Archbishop Anselm, was an Englishman; but his parents, and the particular time and place of his nativity, are not known. He received a learned education, and very early discovered a taste for history, by recording every remarkable event that came to his knowledge<sup>28</sup>. Being a monk in the cathedral of Canterbury, he had the happiness to become the bosom-friend and inseparable companion of two archbishops of that see, St. Anselm, and his successor Ralph. To the former of these he was appointed spiritual

<sup>25</sup> See vol. 5. chap. 2. p. 292, &c.

<sup>26</sup> Eadmer. p. 102.

<sup>27</sup> Historie Litteraire de la France, tom. 9. p. 416—465. Tanner. p. 44, 45, 46.

<sup>28</sup> Eadmer. Hist. Novar. p. 10.

director, by the Pope; and that prelate would do nothing without his permission<sup>29</sup>. His election to the see of St. Andrews, in Scotland, and its consequences, have been already mentioned<sup>30</sup>. But Eadmerus is most worthy of the grateful remembrance of posterity for his historical work, particularly for his excellent history of the affairs of England in his own time, from A. D. 1066. to A. D. 1122.; in which he hath inserted many original papers, and preserved many important facts that are no where else to be found<sup>31</sup>. This work hath been highly commended, both by ancient and modern writers, for its authenticity, as well as for regularity of composition and purity of style<sup>32</sup>. It is indeed more free from legendary tales, than any other work of this period; and it is impossible to peruse it with attention, without conceiving a favourable opinion of the learning, good sense, sincerity, and candour of its author.

Turgot, a contemporary of Eadmerus, was an Turgot. Anglo-Saxon, of a good family in Lincolnshire, and received a learned education. When he was a young man, he was delivered by the people of Lindsay, as one of their hostages, to William the Conqueror, and confined in the castle of Lincoln<sup>33</sup>. From thence he made his escape

<sup>29</sup> W. Malmf. de Gest. Pontif. Angl. l. 1. p. 130.

<sup>30</sup> See vol. 5. chap. 2. p. 331.

<sup>31</sup> Eadmer. Hist. Novar. a Selden. edit. London, A. D. 1623.

<sup>32</sup> W. Malmf. Leland, Cave, Nicolson, Selden, &c.

<sup>33</sup> Simeon Dunelm. Hist. apud X Script. col. 206, 207.

into Norway, and resided several years in the court of King Olave, by whom he was much caressed and enriched. Returning to his native country, he was shipwrecked on the coast of Northumberland, by which he lost all his money and effects, escaping death with great difficulty. He travelled to Durham; and applying to Walter, bishop of that see, declared his resolution to forsake the world, and become a monk; in which he was encouraged by that pious prelate, who committed him to the care of Aldwine, the first prior of Durham. Being admitted into that priory, he recommended himself so much to the whole society, by his learning, piety, prudence, and other virtues, that, on the death of Aldwine, A. D. 1087., he was unanimously chosen prior, and not long after was appointed by the bishop archdeacon of his diocese<sup>34</sup>. In the faithful discharge of the duties of these two offices, he spent the succeeding twenty years of his life, sometimes residing in the priory, and at other times visiting the diocese, and preaching in different places. Some of his leisure hours he employed in collecting and writing the history of the church of Durham or Northumberland, from A. D. 635. to A. D. 1096., in four books<sup>35</sup>. But not having published this work, or made many transcripts of it, according to the custom of those times, it fell into the hands of Simeon, precentor of the

<sup>34</sup> Simeon Dunelm. Hist. apud X Script. col. 53, 54.

<sup>35</sup> Id. col. 1—5.

church of Durham, who published it under his own name, expunging only a few passages that would have discovered its real author. This curious fact is demonstrated by the learned Mr. Selden, in his preface to the ten ancient historians, published by Sir Roger Twysden; and shows that literary fame was even then an object of ambition<sup>36</sup>. The promotion of Turgot to the see of St. Andrew's, in Scotland, A. D. 1107., and his death at Durham, A. D. 1115., have been already recorded<sup>37</sup>. Turgot composed several other works, particularly the lives of Malcolm Canmore, King of Scotland, and of his pious consort Queen Margaret, from which John Fordun hath quoted several facts.<sup>38</sup>

Robert White (in Latin, Robertus Pullus) was born in England toward the end of the eleventh century; and having received a learned education in his own country, he went, as was usual in those times, to the university of Paris for his further improvement<sup>39</sup>. Here he continued several years, and acquired a shining reputation by his learned lectures in philosophy and theology, which were attended by crowded audiences. He was invited by Asceline, Bishop of Rochester, A. D. 1136., to return into his own country, where his labours were much wanted for the revival of learning; and no less earnestly pressed by

Robert  
White.

<sup>36</sup> Prefat. X Script. post Bedam, p.4.

<sup>37</sup> See vol. 5. chap. 2. p.330.

<sup>38</sup> Fordun, Schotichron. l.5. c.14, 15, 16. 18, 19, 20, 21.

<sup>39</sup> Simeon Dunelm. Continuat. apud X Script. col.275.

the famous St. Bernard to continue at Paris, where he did so much good<sup>40</sup>. But he complied with the invitation of the Bishop, who had appointed him as archdeacon; and read lectures on the scriptures at Oxford five years, which attracted prodigious numbers of students to that university<sup>41</sup>. Being of a studious unambitious disposition, he declined a bishopric that was offered him by Henry I.<sup>42</sup> At length he became so famous, that he was called to Rome, A. D. 1143., by Celestine II., appointed a cardinal by Lucius II., and made chancellor of the holy see by Eugenius III.; and was esteemed the most learned of all the college of cardinals<sup>43</sup>. He is believed to have died about A. D. 1150. He composed many theological works; but none of them have been printed, except his book of sentences, which is a body of scholastic divinity, written in a better style, and with greater perspicuity, than was common in those times.<sup>44</sup>

Nicolas  
Break-  
spear.

Nicolas Breakspear, the only Englishman who ever sat in St. Peter's chair, was born near St. Albans, and in his youth performed the meanest menial offices about the abbey of that place, in which his father was a monk<sup>45</sup>. Being rejected, for want of learning, by the abbot, when he

<sup>40</sup> Bulæi Hist. Univers. Paris. tom. 2. p. 153.

<sup>41</sup> A. Wood. Hist. Univers. Oxon. p. 49.

<sup>42</sup> Simeon Dunelm. col. 275.

<sup>43</sup> Bulæi Hist. Univers. Parisien. tom. 2. p. 244.

<sup>44</sup> Du Pin. Hist. cent. 12. chap. 15.

<sup>45</sup> M. Paris, Hist. Abbat. St. Albani, p. 42. col. 2.

desired

desired to become a monk, and reproached by his father for his indolence, he left England, and went to Paris, where he applied to study with the greatest ardour<sup>46</sup>. From Paris he travelled into Provence, and was admitted a monk in the abbey of St. Rufus, where he still continued to prosecute his studies, and recommended himself so effectually, that on the first vacancy, he was chosen abbot. The monks, however, soon became weary of the government of a foreigner, and made bitter complaints against their new abbot to Pope Eugenius III. This proved a very fortunate event to our countryman. For the Pope was so much pleased with the learning and eloquence he displayed in his own defence, that he thought him worthy of a higher station in the church, made him bishop of Alba, A. D. 1146., and a cardinal<sup>47</sup>. Not long after he was sent as papal legate into Denmark and Norway; and acquitted himself so well in that station, that a vacancy happening in the papal throne about the time of his return to Rome, he was unanimously chosen pope in November 1154., and took the name of Adrian IV.<sup>48</sup> Henry II. pleased with the elevation of one who had been his subject, sent three bishops and the abbot of St. Albans, to congratulate the new pope on his election<sup>49</sup>. The ambassadors met with a most

<sup>46</sup> M. Paris, Hist. Abbat. St. Albani, p. 42. col. 2. W. Neubrigenf. l. 2. c. 6.

<sup>47</sup> Id. ibid.

<sup>48</sup> Platina in Vit. Adrian. IV. W. Neubrigenf. l. 2. c. 6.

<sup>49</sup> M. Paris, Vit. Abbat. St. Albani, p. 46.

gracious reception, and obtained from His Holiness every favour the King of England desired, particularly a grant of the kingdom of Ireland, in which grant the high pretension to the property of all the islands in the sea was advanced<sup>50</sup>: a proof, that though Adrian's origin was low, his spirit and his claims were as high as any of his predecessors. But this pontiff soon found the vanity of ambition even when it is most successful; for his pontificate, which lasted only four years and ten months, was one continued scene of disquiet and trouble; and, if we may believe some writers, his death was violent, A.D. 1159.<sup>51</sup> Though Adrian was a man of genius and learning, none of his works have been published, except his letters.

**Historians.** England produced a great number of historians in the twelfth century, and it may not be improper to give a very brief account of the most considerable of them, without interruption, though it should make us depart a little from the exact order of time.

William of  
Malmes-  
bury.

William of Malmesbury, who is well entitled to stand at the head of our historians of the twelfth century, was born in Somersetshire, and, on that account, is sometimes called William Somerset. When he was but a child (as he himself acquaints us), he discovered a fondness for learning, which was encouraged by his parents,

<sup>50</sup> Rymeri Fœd. t.i. p.15.

<sup>51</sup> Baron. Annal. tom. 12. an. 1154. M. Paris, Vita Abbat. p.48.

and increased with his years<sup>52</sup>. “ I applied  
“ (says he) to the study of several sciences, but  
“ not with equal diligence. I went through a  
“ course of logic, but prosecuted it no further;  
“ with physic, or the art of curing diseases and  
“ preserving health, I was at more pains; for  
“ ethics, which lead to a good and happy life,  
“ I had still a higher veneration; but history,  
“ which is equally pleasant and profitable, was  
“ my favourite study. Having, at my own ex-  
“ pence, procured the copies of some foreign  
“ histories, I then, at my leisure, began to  
“ enquire into the memorable transactions of my  
“ own country; and not finding any satisfactory  
“ history of them already written, I resolved to  
“ write one, not to display my learning, which  
“ is no great matter, but to bring things to  
“ light that are covered with the rubbish of an-  
“ tiquity<sup>53</sup>.” This design he executed with great  
ability and diligence, by writing a general history  
of England in five books, from the arrival of the  
Saxons, A.D. 449., to the 26th of Henry I.,  
A.D. 1126.; and a modern history in two books,  
from that year to the escape of the Empress Maud  
out of Oxford, A.D. 1143.; with a church-  
history of England in four books<sup>54</sup>. In all these  
historical works (which are written in a Latin  
style more pure than that of any of his contem-  
poraries), he discovers great diligence, much

<sup>52</sup> W. Malmf. Prolog. l. ii. p. 19.

<sup>53</sup> Id. ibid.

<sup>54</sup> Rerum Anglicar. Script. a Hen. Savile edit. London, 1596.

good sense, and a sacred regard to truth, accompanied with uncommon modesty. “I do not  
 “(says he) set a very high value on the applause  
 “of my contemporaries, which I hardly expect;  
 “but I hope, that when both favour and male-  
 “volence are dead, I shall obtain from posterity  
 “the character of an industrious, though not of  
 “an eloquent historian<sup>55</sup>. ” This excellent per-  
 son, to whom all the lovers of English history  
 are so much indebted, spent his life in the  
 humble station of a monk and library-keeper in  
 the abbey of Malmesbury, where he died, A.D.

1143.<sup>56</sup>

Simeon of  
Durham,  
etc.

Simeon of Durham, the contemporary of William of Malmesbury, merits a place among the historians and antiquaries of this period, for the great pains he took in collecting the monuments of our history, especially in the north of England, after they had been scattered by the Danes in their devastations of that country<sup>57</sup>. From these he composed a history of the kings of England, from A.D. 616. to A.D. 1130., with some smaller historical pieces<sup>58</sup>. Simeon both studied and taught the sciences, and particularly the mathematics, at Oxford, and became precentor of the church of Durham, where he died, probably soon after the conclusion of his history, which was continued by John, prior of Hexham, to A.D. 1156.<sup>59</sup> Richard, who succeeded John

<sup>55</sup> Prolog. ad lib. i.

<sup>56</sup> Cave Hist. Literaire, p. 661.

<sup>57</sup> Leland de Script. Brit. tom. i. p. 188.

<sup>58</sup> Apud X Script. p. 67—256.

<sup>59</sup> Id. p. 257—282.

in the government of the priory of Hexham, wrote the history of the bishops of that church, and of four years of the reign of King Stephen, from A.D. 1135. to A.D. 1139.<sup>60</sup>

Ailred, abbot of Revesby in Lincolnshire, was born of noble parents, and educated in the court of David King of Scots, with his son prince Henry, who was one of the most studious, as well as one of the bravest princes of his age. After the death of Henry, Ailred retired into the abbey of Revesby; and became so famous for his piety and learning, that he might have attained to the highest dignities of the church, if he had not modestly declined them, and contented himself with the government of his own abbey, where he died A.D. 1166. He left behind him many monuments of his piety and learning, besides his historical works, for which he is introduced in this place<sup>61</sup>. Several of his theological treatises are printed among the works of his friend St. Bernard, and his historical pieces in the collection of the ten ancient historians published by Sir Roger Twysden, London, A.D. 1652.

Henry of Huntingdon was the son of one Nicolas, a married priest, and was born about the beginning of the twelfth century, or end of the eleventh. For he acquaints us, that he was made an archdeacon by Robert Bloet Bishop of

Henry of  
Hunting-  
ton.

<sup>60</sup> Apud X Script. p. 286—330.

<sup>61</sup> Biographia Britan. vol. 1. p. 72.

<sup>62</sup> X Script. p. 338—442.

Lincoln,

Lincoln, who died A. D. 1123.<sup>63</sup> He was educated by Albinus of Anjou, a learned canon of the church of Lincoln, and in his youth discovered a great taste for poetry, by writing eight books of epigrams, as many of love-verses, with three long didactic poems, one of herbs, another of spices, and a third of precious stones<sup>64</sup>. In his more advanced years he applied to the study of history; and at the request of Alexander Bishop of Lincoln, who was his great friend and patron, he composed a general history of England, from the earliest accounts to the death of King Stephen, A.D. 1154., in eight books<sup>65</sup>. In the dedication of this work to Bishop Alexander, he tells us, that in the ancient part of his history he had followed venerable Bede, adding a few things from some other writers; that he had compiled the sequel from several chronicles he had found in different libraries, and from what he had heard and seen<sup>66</sup>. Towards the conclusion of this work, he very honestly acknowledges, that it was only an abridgment; and that to compose a complete history of England, many more books were necessary than he could procure<sup>67</sup>. Mr. Wharton hath published a long letter of this author to his friend Walter, abbot of Ramsey, on the contempt of the world, which

<sup>63</sup> Anglia Sacra, tom. 2. p. 695.

<sup>64</sup> Leland de Script. Britan. tom. 1. p. 197.

<sup>65</sup> Vide Rerum Anglicarum Scriptores post Bedam a Hen. Savile edit. London, A.D. 1596. p. 169—228.

<sup>66</sup> Id. p. 169.

<sup>67</sup> Id. p. 228.

contains many curious anecdotes of the kings, nobles, prelates, and other great men, who were his contemporaries.<sup>68</sup>

Roger de Hoveden was born in Yorkshire, most probably at the town of that name, now called *Howden*, sometime in the reign of Henry I. After he had received the first parts of education in his native county, he studied the civil and canon law, which were then become the most fashionable and lucrative branches of learning<sup>69</sup>. He became domestic chaplain to Henry II., who employed him to transact several ecclesiastical affairs: in which he acquitted himself with honour. But his most meritorious work was, his annals of England, from A. D. 731., when Bede's ecclesiastical history ends, to A. D. 1202.<sup>70</sup> This work, which is one of the most voluminous of our ancient histories, is more valuable for the sincerity with which it is written and the great variety of facts which it contains, than for the beauty of its style, or the regularity of its arrangement.

William Little, who is better known by his Latin name *Gulielmus Neubrigensis*, was born at Bridlington in Yorkshire, A. D. 1136., and educated in the abbey of Newborough in the same county, where he became a monk<sup>71</sup>. In

<sup>68</sup> *Anglia Sacra*, tom. 2. p. 694—702.

<sup>69</sup> Leland de Script. Brit. l. 1. p. 229.

<sup>70</sup> Vid Rerum Anglicar. a Savileo edit. p. 230—471.

<sup>71</sup> Historia G. Nubrigen. a T. Hearne edit. Oxon. 1719. l. 1. c. 15. p. 53. Ibid. in fine Proemii.

his advanced years he composed a history of England in five books, from the Norman conquest, to A. D. 1197., which, for veracity, regularity of disposition, and purity of language, is one of the most valuable productions of this period. In his preface to this work, he made some very severe strictures on Geoffrey of Monmouth's British history, which have drawn upon him the displeasure of several ancient Britons, though it cannot be denied that his strictures were in general well-founded, and discover a degree of critical discernment that was not very common in those times.

Gervase  
of Canterbury.

Gervase of Canterbury, a monk of the monastery of Christ's church in that city, was one of the most voluminous historians of this period. His chronicle of the kings of England, from A. D. 1122. to A. D. 1200., and his history of the archbishops of Canterbury, from St. Augustine to Archbishop Hubert, who died A. D. 1205., are his two most considerable performances of this kind, and are published, together with his smaller pieces, in the collection quoted below<sup>72</sup>. A strict attention to chronology in the disposition of his materials, is one of the chief excellencies of this historian.

Ralph de  
Diceto.

Ralph de Diceto, Archdeacon of London, was the contemporary of Gervase, and composed also two historical works, intitled, *Abbreviations*

<sup>72</sup> Hist. Anglican. Script. X a R. Twisden edit. London, 1652., col. 1290—1683.

*chronicorum*, and *Imagines historiarum*, which are published in the same collection.<sup>73</sup>

Benedict, abbot of Peterborough, was educated at Oxford, became a monk in the monastery of Christ's-church in Canterbury, and some time after was chosen prior by the members of that society. Though he had been a great admirer of Archbishop Becket, and wrote a life of that prelate, he was so much esteemed by Henry II., that by the influence of that prince he was elected abbot of Peterborough, A. D. 1177.<sup>74</sup> He assisted at the coronation of Richard I. A. D. 1189., and was advanced to be keeper of the great seal A. D. 1191.<sup>75</sup> But he did not long enjoy this high dignity, as he died on Michaelmas-day A. D. 1193.<sup>76</sup> Besides his life of Archbishop Becket, he composed a history of Henry II. and Richard I. from A. D. 1170. to A. D. 1192.; which hath been much and justly esteemed by many of our greatest antiquaries, as containing one of the best accounts of the transactions of those times. A beautiful edition of this work was published at Oxford, in two volumes, by Mr. Hearne, A. D. 1735. My gratitude for the information I have received from the perusal of the English historians of the twelfth century, who, in merit, as well as in

<sup>73</sup> Hist. Anglican. Script. X a R. Twisden. edit. London, 1652. col. 429—710.

<sup>74</sup> Benedictus Abbas a T. Hearne edit. Oxon. 1735., tom. I. p. 210.

<sup>75</sup> Id. ibid. p. 556. 714.

<sup>76</sup> Roberti Swaphami Hist. Cœnob. Burgen. a Josepho Sparki edit. London, 1743. p. 103.

number,

number, are superior to those of any other nation of Europe, in that period, is in danger of making me forget the proportion that must be observed in the several parts of this work, or neglect those who were the chief ornaments of their country in other branches of learning.

*John of  
Salisbury.*

John of Salisbury was born at Old Sarum, from which he derived his name, about A. D. 1116. For, according to his own account, after he had gone through a course of education in England, he went to the university of Paris, for his further improvement, A. D. 1136., at which time, it is probable, he was at least twenty years of age<sup>77</sup>. In this famous seat of learning he spent no fewer than twelve years, attending the lectures of the most celebrated professors of the several sciences, particularly grammar, rhetoric, the Aristotelian philosophy, and theology<sup>78</sup>. At his return into England he studied the civil law under Vacarius, who taught with great applause at Oxford, A. D. 1149.<sup>79</sup> By this long and ardent application to study, under the best masters, he acquired a prodigious fund of knowledge, and became one of the most learned men of the age in which he flourished. Embracing the monastic life at Canterbury, he was the bosom-friend and chief confidant of two successive archbishops of that see, Theobald and

<sup>77</sup> J. Sarisburien. Metalog. l. 2. c. 10. p. 802.

<sup>78</sup> Id. Ibid.

<sup>79</sup> J. Sarisburien. Politicaron, l. 8. c. 22. p. 672. Seldeni Dissertat. in Flet. c. 7. sect. 3.

Thomas Becket<sup>80</sup>. To the last of these, while he was chancellor of England, our author dedicated his famous work, *De nugis curialium, et vestigiis philosophorum* (of the fopperies of courtiers, and the footsteps of philosophers), in an elegant Latin poem, containing some of the politest compliments to his patron. This work is indeed the most curious and valuable monument of the English literature of the twelfth century; and it is impossible to peruse it without admiring the virtue and good sense, as well as the genius and erudition of its author<sup>81</sup>. His connection with Archbishop Becket involved him in many troubles; and he was the very first person banished out of England by Henry II. A.D. 1164., for his attachment to that prelate<sup>82</sup>. He continued almost seven years in exile, though he had the most inviting offers made him, not only of leave to return home, but also of the royal favour and preferment, if he would abandon the party of the Archbishop. But to this he never would consent, declaring his resolution to die in exile, rather than forsake his friend and patron in his adversity; though he was far from approving of his conduct in every particular<sup>83</sup>. His friendship for Becket was as active as it was steady, and prompted him to undertake no fewer than

<sup>80</sup> Bulæi Hist. Univers. Parisien. tom. 2. p. 751.

<sup>81</sup> Vid. J. Sarisburien. Prolicraticon, sive de Nugis Curialium et Vestigiis Philosophorum, lib. oct. Impress. Lugduni Batavorum, 1639.

<sup>82</sup> Id. ibid. p. 137. 320.

<sup>83</sup> Epist. S. Thomæ Cant. Ep. 2. l. 1. p. 8.

ten journeys into Italy, besides many others into different parts of France, in negotiating his affairs<sup>84</sup>. At length he obtained permission to return into England a little before the Archbishop, A. D. 1171., and was a mournful spectator of the murder of his beloved friend and patron<sup>85</sup>. In the time of his exile our author had gained the favour of many persons of the highest rank, particularly of Pope Alexander III., of the King of France, and of the Archbishop of Sens, by whose interest he was elected bishop of Chartres in that province, A. D. 1172.<sup>86</sup> Having enjoyed this dignity almost ten years, he died A. D. 1182. John of Salisbury composed many other works, besides that already mentioned, particularly a very learned defence of grammar, rhetoric, and logic, against one whom he calls *Cornificius*, which contains a most curious account of the state of these sciences in this period<sup>87</sup>. A collection of his letters, consisting of above three hundred, with a life of Thomas Becket, were published at Paris, A. D. 1611.

Peter of  
Blois.

Peter of Blois (Petrus Blesensis) was born about A. D. 1120., at the city of Blois in France, from whence he derived his name. His parents, being opulent, gave him a learned education<sup>88</sup>.

<sup>84</sup> J. Sarisburiens. Metalog. l. 3. init. p. 838.

<sup>85</sup> Epist. S. Thomæ, l. 5. Ep. 64.

<sup>86</sup> Bulæi Hist. Univers. Parif. tom. 2. p. 394.

<sup>87</sup> Vid. J. Sarisburiens. Metalog. lib. Quart. Impress. Lugduni Batav. 1639.

<sup>88</sup> Epist. P. Blesen. Ep. 90. 93.

In

In his youth, when he studied in the university of Paris, he was excessively fond of poetry; and when he was a little further advanced in life, he became no less fond of rhetoric, to the study of which he applied with the greatest ardour<sup>89</sup>. From Paris he removed to Bononia in Italy, to acquire the civil and canon law, in the knowledge of both which he very much excelled<sup>90</sup>. He appears from his writings to have cultivated medicine, and several branches of the mathematics, with no little care and success<sup>91</sup>. The study of theology was the chief delight and business of his life, in which he spent the greatest part of his time, and made the greatest progress. But unfortunately it was that scholastic theology, which consisted in vain attempts to prove and explain the many absurd opinions which then prevailed in the church, by the subtleties of Aristotelian logic<sup>92</sup>. In attempting to explain in this manner the most absurd of all opinions that ever existed amongst mankind, he was the very first person who employed the famous word *transubstantiation*, which was soon after adopted by the church of Rome, and hath ever since made so great a noise<sup>93</sup>. Being appointed preceptor to William II., King of Sicily, A. D. 1167., he obtained the custody of the privy seal; and next to the Archbishop of Palermo, the prime minister, had the greatest influence in all

<sup>89</sup> Epist. P. Blesens. Ep. 76. 26.  
<sup>91</sup> Ep. 43.

<sup>92</sup> Ep. 140.

<sup>90</sup> Ep. 6. 8.  
<sup>93</sup> Id. ibid.

affairs<sup>94</sup>. But his power was not of long duration ; for the Archbishop being banished, A. D. 1168., our author soon after left the court of Sicily, and returned into France. He was not long, however, without a royal patron, being invited into England by Henry II., who employed him as his private secretary, made him Archdeacon of Bath, and gave him some other benefices<sup>95</sup>. When he had spent a few years at court, he conceived a disgust at that way of life (of which he hath drawn a very unpleasing picture in one of his letters), and retired into the family of Richard Archbishop of Canterbury, who made him his chancellor about A. D. 1176.<sup>96</sup> In this station he continued to the death of the Archbishop, A. D. 1183., enjoying the highest degree of favour with that prelate, though he used much freedom in reproving him for his remissness in the government of the church<sup>97</sup>. Our author remained in the same station in the family of Archbishop Baldwin, who succeeded Richard, acting both as his secretary and chancellor. He was also sent by that prelate on an embassy to Rome, A. D. 1187., to plead his cause before Pope Urban III., in the famous controversy between him and the monks of Canterbury, about the church of Hackington<sup>98</sup>. After the departure of his friend and patron Baldwin for the Holy Land, A. D. 1190., our author was

<sup>94</sup> Epist. P. Blesens. Ep. 131.

<sup>95</sup> Ep. 149.

<sup>96</sup> Ep. 14. 38. 130.

<sup>97</sup> Ep. 5.

<sup>98</sup> Gervas Chron. col. 1498, 1499.

involved in various troubles in his old age, the causes of which are not distinctly known, and died about the end of the twelfth century. He appears from his works, which may be justly reckoned among the most valuable monuments of the age in which he flourished, to have been a man of great integrity and sincere piety, as well as of a lively inventive genius, and uncommon erudition. His printed works consist of one hundred and thirty-four letters, which he collected together at the desire of Henry II.; of sixty-five sermons, delivered on various occasions; and of seventeen tracts on different subjects<sup>99</sup>. Of the quickness of our author's invention, a very remarkable example hath been already mentioned; and whoever will give themselves the trouble to peruse his works, will meet with many proofs of his erudition.<sup>100</sup>

Girald Barry, commonly called *Giraldus Cambrensis*, i. e. Girald of Wales, was born at the castle of Mainarper, near Pembroke, A. D. 1146.<sup>101</sup> By his mother he was descended from the princes of South Wales; and his father, William Barry, was one of the chief men of that principality. Being a younger brother, and intended for the church, he was sent to St. David's, and educated in the family of his uncle, who was bishop of that see. He acknowledges, in his

Girald  
Barry.

<sup>99</sup> Vid. Opera P. Blefens. Parisiis edit. A.D. 1667.

<sup>100</sup> See sect. 1. of this chap. p. 91.

<sup>101</sup> Praefat. ad Ang. Sacr. tom. 2. p. 20. Id. p. 466.

history of his own life and actions, that in his early youth he was too playful; but being severely reproached for it by his preceptors, he became a very hard student, and greatly excelled all his school-fellows in learning<sup>102</sup>. When he was about twenty years of age, he was sent, A. D. 1166., for his further improvement, to the university of Paris; where he continued three years, and became, according to his own account, a most excellent rhetorician; which rendered him very famous<sup>103</sup>. On his return into Britain, he entered into holy orders, and obtained several benefices both in England and Wales. Observing, with much concern, that his countrymen, the Welsh, were very backward in paying the tithes of wool and cheese, which he was afraid would involve them in eternal damnation, he applied to Richard Archbishop of Canterbury, and was appointed his legate in Wales for rectifying that disorder, and for other purposes. He executed this commission with great spirit, excommunicating all without distinction who refused to save their souls, by surrendering the tithes of their cheese and wool<sup>104</sup>. Not satisfied with enriching, he also attempted to reform the clergy, and dilated the Archdeacon of Brechin to the Archbishop, for the unpardonable crime of matrimony; and the poor old man refusing to put away his wife, was

<sup>102</sup> Girald. Cambren. de Rebus a se gestis, l. 1. c. 2. apud Angl. Sacr. tom. 2. p. 467.

<sup>103</sup> Id. ibid.

<sup>104</sup> Id. ibid. c. 3. p. 468.

deprived

deprived of his archdeaconry; which was bestowed upon our zealous legate <sup>105</sup>. In discharging the duties of this new office, he acted with great vigour, which involved him in many quarrels: but if we may believe himself, he was always in the right and always victorious. His uncle the Bishop of St. David's, dying A.D. 1176., he was elected his successor by the chapter: but this election having been made without the permission, and contrary to the inclination, of Henry II., our author prudently declined to insist upon it, and went again to Paris to prosecute his studies, particularly in the civil and canon law and theology <sup>106</sup>. He speaks with great raptures of the prodigious fame he acquired by his eloquent declamations in the schools, and of the crowded audiences who attended them, who were at a loss to know whether the sweetness of his voice, the beauty of his language, or the irresistible force of his arguments, were most to be admired <sup>107</sup>. Having spent about four years at Paris, he returned to St. David's; where he found every thing in confusion; and the Bishop being expelled by the people, he was appointed administrator by the Archbishop of Canterbury, and governed the diocese in that capacity to A.D. 1184., when the Bishop was restored <sup>108</sup>. About the same time he was called to court by

<sup>105</sup> Girald. Cambren. de Rebus a se gestis, l. 1. c. 4, 5, 6.

<sup>106</sup> Id. ibid. l. 1. c. 9, 10, 11. l. 2. c. 1. <sup>107</sup> Ibid. l. 2. c. 1, 2.

<sup>108</sup> Ibid. c. 6, 7.

Henry II., appointed one of his chaplains, and sent into Ireland A.D. 1185., with Prince John<sup>109</sup>. By this prince he was offered the united bishoprics of Fernes and Leighlin; but declined them, and employed his time in collecting materials for his topography of Ireland, and his history of the conquest of that island. Having finished his topography, which consisted of three books, he published it at Oxford A.D. 1187., in the following manner, in three days. On the first day he read the first book to a great concourse of people, and afterwards entertained all the poor of the town; on the second day he read the second book, and entertained all the doctors and chief scholars; and, on the third day, he read the third book, and entertained the younger scholars, soldiers, and burgesses<sup>110</sup>. “A most glorious spectacle! (says he) which revived the ancient times of the poets, and of which no example had been seen in England.” He attended Baldwin Archbishop of Canterbury, in his progress through Wales, A.D. 1186., in preaching a croisade for the recovery of the Holy Land, in which, he tells us, he was far more successful than the primate; and particularly that the people were prodigiously affected with his Latin sermons, which they did not understand, melting into tears, and coming in crowds to take the cross<sup>111</sup>. Although Henry II.,

<sup>109</sup> Girald. Cambren. de Rebus a se gestis, l. i. c. 8. 10.

<sup>110</sup> Ibid. c. 16.

<sup>111</sup> Ibid. c. 18.

as our author assures us, entertained the highest opinion of his virtues and abilities ; yet he never would advance him to any higher dignity in the church, on account of his relation to the princes and great men of Wales. But on the accession of Richard I. A. D. 1189., his prospects of preferment became better ; for he was sent by that prince into Wales to preserve the peace of that country, and was even joined in commission with William Longchamp Bishop of Ely, as one of the regents of the kingdom <sup>112</sup>. He did not, however, improve this favourable opportunity ; refusing the bishopric of Bangor in A. D. 1190., and that of Landaff, the year after, having fixed his heart on the see of St. David's, the bishop of which was very old and infirm <sup>113</sup>. In A. D. 1192., the state of public affairs, and the course of interest at court, became so unfavourable to our author's views, that he determined to retire. At first he resolved to return to Paris, to prosecute his studies ; but meeting with some difficulties in this, he went to Lincoln ; where William de Monte read lectures in theology with great applause <sup>114</sup>. Here he spent about six years in the study of divinity, and in composing several works. The see of St. David's, which had long been the great object of his ambition, became vacant A. D. 1198., and brought him again upon the stage. He was unanimously

<sup>112</sup> Girald. Cambren. de Rebus a se gestis, l. i. c. 21. p. 495.

<sup>113</sup> Ibid: c. 22. 24.

<sup>114</sup> Ibid. l. 3. c. 3.

elected by the chapter ; but met with so powerful an adversary in Hubert Archbishop of Canterbury (who opposed his promotion with great violence), that it involved him in a litigation, which lasted five years, cost him three journeys to Rome, at a great expence, and in which he was at last defeated, A. D. 1203<sup>115</sup>. Soon after this he retired from the world, and spent the last seventeen years of his life in a studious privacy, composing many books of which we have a very correct catalogue in the work quoted below<sup>116</sup>. That Girald of Wales was a man of uncommon activity, genius, and learning, is undeniable ; but these and his other good qualities were much tarnished by his insufferable vanity, which must have been very offensive to his contemporaries, as it is highly disgusting to his readers.

Many other men of genius and erudition flourished in Britain in this period ; but to give a full account of them, belongs rather to the biographer than to the general historian.

<sup>115</sup> Girald. Cambren. de Rebus a se gestis, l.3. c.4—19.

<sup>116</sup> Biographia Britannica, vol. I. p. 512.

## SECTION III.

*History of the chief Seminaries of Learning in Great Britain, from A.D. 1166. to A.D. 1216.*

ONE cause of the improvements in the sciences which took place in this period, was the increase of seminaries of learning. These may be divided into five classes, viz. 1. General studies or universities; 2. Episcopal or cathedral schools; 3. Monastic or conventional schools; 4. The schools of cities and towns; and, 5. The schools of the Jews. Of each of these classes we shall give a brief account.

That those seats of learning which are now called *universities* were anciently called *studies*, is well known; as, the study of Oxford, the study of Paris, &c.<sup>1</sup> But about the end of the twelfth or beginning of the thirteenth century, the modern name seems generally to have prevailed, either because all kinds of learning were taught in them, and students of all countries were welcome to them, or because they were formed into legal communities, which, in the Latin of those times, were called *univerditates*<sup>2</sup>. Of such universities there were only two in Britain, Oxford and Cambridge.

Different kinds of schools.

Universities.

<sup>1</sup> J. Brompt. Chron. col. 814.

<sup>2</sup> A. Wood, Hist. Univers. Oxon, p. 18.

The

Oxford.

The state of public affairs was so unsettled for a considerable time, both before and after the conquest, and the city of Oxford in particular suffered so much, first from the Danes, and afterwards from the Normans, that it could not be in a flourishing condition as a seat of learning<sup>3</sup>. From Doomsday-book we find, that A. D. 1086., there were no fewer than five hundred and twenty-two ruinous or empty houses in Oxford, and only two hundred and forty-three inhabited. It hath been warmly agitated, whether the Conqueror's youngest son, afterwards Henry I., was educated at Oxford or Cambridge, without satisfactory evidence on either side<sup>4</sup>. That he built a palace, and sometimes resided, in the first of these places, is better attested<sup>5</sup>. It is also said, that Robert White, of whom an account hath been already given, taught with great reputation at Oxford in the reign of that learned prince<sup>6</sup>. But this seat of the muses was taken by storm, and reduced to ashes, A. D. 1141., by King Stephen; which dispersed both teachers and scholars. In a little time, however, they returned to their favourite residence; which, before the end of that reign, became famous for the study of the civil law<sup>7</sup>. This university became still more flourishing in the reign of Henry II., who was a learned prince, and a great patron of

<sup>3</sup> A. Wood, Hist. Univers. Oxon. p. 42—46.

<sup>4</sup> Id. p. 46. col. 2. J. Caius in Antiq. Cantab. p. 97.

<sup>5</sup> A. Wood, Hist. Univers. Oxon. p. 49.

<sup>6</sup> Id. ibid.

<sup>7</sup> Id. p. 52.

learning;

learning ; though a great part of the city, and several schools or halls, were destroyed by an accidental fire, A. D. 1190.<sup>8</sup> Before that time the houses and halls of Oxford had been built of wood, and covered with straw ; but after this fire, many of them were built of stone, and covered with tiles or lead. As Richard I. had been born at Oxford, he still retained an affection for it, and granted it so many privileges, that, in his reign, it became a rival to the university of Paris<sup>9</sup>. In the reign of King John, when the university was in a prosperous state, an unfortunate event happened, A. D. 1209., which threatened it with destruction. A scholar, engaged in his diversion, accidentally killed a woman, and made his escape, for fear of punishment. A prodigious mob, with the mayor of the city at their head, immediately assembled, and surrounded the hall to which the unfortunate scholar belonged ; and not finding him, seized and imprisoned other three, who were entirely innocent, and obtained an order from King John, who hated the clergy, to put them to death ; which was executed without delay. The greatest part of the professors and scholars, enraged at this act of cruelty and injustice, abandoned Oxford to the number of three thousand, and retired, some to Cambridge, some to Reading, and some to Maidstone in Kent. They complained also to

<sup>8</sup> A. Wood. Hist. Univers. Oxon. p. 57.

<sup>9</sup> Bulæi Hist. Univers. Parisiens. tom. 2. p. 544, &c.

the Pope, and obtained a bull, laying the city under an interdict, and discharging all professors from teaching in it. Their superstitious terrors and secular losses soon brought the people of Oxford to repent of the cruelty they had committed ; and they sent a deputation of their most respectable citizens to Nicolas Bishop of Tuscum, the Pope's legate, to make their submissions, and promise obedience to all his commands. In consequence of this the legate issued a bull, dated at Ramsey, 26th June A. D. 1214., suspending those professors who had not left Oxford, from teaching for three years ; prescribing the most humiliating penances to the inhabitants, and stipulating many advantages for the members of the university ; and obliged the mayor, with fifty of the chief citizens, to take a solemn oath, in the name of all the rest, that they would comply with every article in that bull. When all these preliminaries were settled, the professors and scholars returned in such multitudes, and were so joyfully received by the citizens, that the university became more flourishing than it had ever been ; and at the conclusion of this period consisted of about four thousand members.<sup>10</sup>

Cam-  
bridge.

Cambridge suffered still more than Oxford, both from the Danes before, and the Normans after, the conquest ; and seems to have been longer and more entirely deserted as a seat of learning<sup>11</sup>.

<sup>10</sup> Wood, Hist. Ant. Univers. Oxon, p. 60, 61.

<sup>11</sup> J. Brompt. Chron. col. 887, 888. Chron. Saxon, p. 140.

This appears from the following distinct account of its revival, given by a writer of undoubted credit : “ Joffrid, Abbot of Croyland, A.D. 1109., sent to his manor of Cottenham, near Cambridge, master Gislebert, his fellow-monk, and professor of theology, with three other monks who had followed him into England ; who being very well instructed in philosophical theorems, and other ancient sciences, went every day to Cambridge ; and having hired a certain public barn, taught the sciences openly, and in a little time collected a great concourse of scholars. For in the very second year after their arrival, the number of their scholars from the town and country increased so much, that there was no house, barn, nor church, capable of containing them. For this reason they separated into different parts of the town, and imitating the plan of Orleans, brother Odo, a famous grammarian and satirist of those times, read grammar, according to the doctrine of Priscian, and Remigius upon him, to the boys and younger students assigned to him, early in the morning. At one o'clock brother Terricus, an acute sophist, read Aristotle's logics, according to the introductions and commentaries of Porphyry and Averrois, to those who were further advanced. At three, brother William read lectures on Tully's rhetoric and Quintilian's institutions. But master Gislebert, being ignorant of the English, but very expert in the

Latin

“ Latin and French languages, preached in the  
 “ several churches to the people on Sundays and  
 “ holidays. — From this little fountain, which  
 “ hath swelled into a great river, we now behold  
 “ the city of God made glad, and all England  
 “ rendered fruitful, by many teachers and doc-  
 “ tors issuing from Cambridge, as from a most  
 “ holy paradise <sup>12</sup>. ” This last observation shews,  
 that the university of Cambridge, after its re-  
 vival by those learned monks in the beginning  
 of the twelfth century, made such rapid progress  
 that, before the end of that century, when Peter  
 of Blois wrote, it had attained to a very flourish-  
 ing condition. The town, and consequently the  
 university, suffered much in the civil war be-  
 tween King John and his barons, having been  
 taken and plundered by both parties, A.D.  
 1215. <sup>13</sup>

Paris.

So many of the ingenious youth of Britain, in  
 this period, finished their education in the uni-  
 versity of Paris, that it merits a little of our  
 attention, though not strictly within our plan <sup>14</sup>.  
 It was unquestionably the most celebrated seat of  
 learning in Europe in those times, and was called  
 by way of eminence, *The city of letters* <sup>15</sup>. All  
 who excelled as teachers, or wished to improve  
 as students, crowded to Paris, as the most proper  
 place for displaying or acquiring talents. In the

<sup>12</sup> P. Blefens. Continuatio Hist. Ingulph. ann. 1109. p. 114, 115.

<sup>13</sup> Fuller's Hist. Camb. p. 8.

<sup>14</sup> Bulæi Hist. Univers. Parisien. l. 11. p. 299.

<sup>15</sup> Id. ibid. p. 253. Histoire Literaire de la France, tom. 9. p. 78.

twelfth century we are assured, that the students in the university constituted one half of the inhabitants of that city<sup>16</sup>. The English in particular were so numerous, that they occupied several schools or colleges ; and made so distinguished a figure by their genius and learning, as well as by their generous manner of living, that they attracted the notice of all strangers. This appears from the following verses, describing the behaviour of a stranger on his first arrival in Paris, composed by Negel Wircker, an English student there, A. D. 1170.

Pexus et ablutus tandem progressus in urbem,  
 Intrat in ecclesiam, vota precesque facit.  
 Inde scholas adiens, secum deliberat, utrum  
 Expediat potius illa vel ista schola.  
 Et quia subtilem sensu considerat Anglos,  
 Pluribus ex causis se sociavit iis.  
 Moribus egregii, verbo vultuque venusti,  
 Ingenio pollent, consilioque vigent.  
 Dona pluunt populis, et detestantur avaros,  
 Fercula multiplicant, et sine lege bibunt.<sup>17</sup>

The stranger dress'd, the city first surveys,  
 A church he enters, to his God he prays.  
 Next to the schools he hastens, each he views,  
 With care examines, anxious which to chuse.  
 The English most attract his prying eyes,  
 Their manners, words, and looks pronounce them wise.  
 Theirs is the open hand, the bounteous mind,  
 Theirs solid sense, with sparkling wit combin'd.  
 Their graver studies jovial banquets crown,  
 Their rankling cares in flowing bowls they drown.

<sup>16</sup> Histoire Litteraire de la France, tom. 9, p. 663.

<sup>17</sup> A. Wood, Antiq. Oxon. p. 55.

Adan-  
tages of  
universi-  
ties.

These general studies or universities, as Paris, Oxford, Cambridge, Bologna, &c. possessed several advantages, which attracted greater numbers of students to them than to other seats of learning. They had not only the best libraries, and most famous professors in all the sciences, but being incorporated societies, they were governed by their own magistrates, and enjoyed several peculiar privileges, particularly that of conferring academical honours or degrees. These were introduced in the course of this period, and soon became great objects of ambition, and incitements to learning.<sup>18</sup>

Cathedral  
schools.

In the darkest of the middle ages, the families of bishops were the chief seminaries of learning, in which young persons were educated for the service of the church<sup>19</sup>. These episcopal or cathedral schools still continued in this period. They were even better regulated, and consequently more useful and more famous. In the most ancient times, the bishop was commonly the chief, if not the only teacher, of his cathedral school; the faithful discharge of which laborious office was hardly compatible with the other duties of his function<sup>20</sup>. But in this period these schools were put under the direction of men of learning, who devoted their whole time and study to the education of youth, and had certain estates or prebends assigned for their

<sup>18</sup> Histoire Literaire de la France, tom. 9. p. 80—84.

<sup>19</sup> Bulæi Hist. Univers. Paris. tom. 1. p. 151, 152.

<sup>20</sup> Id. ibid.

support. These teachers of the cathedral schools were called *The scholaſtis of the diocesſ*; and all the youth in it who were designed for the church were intitled to the benefit of their instructions<sup>21</sup>. Thus, for example, William de Monte, who had been a professor at Paris, and taught theology with so much reputation, in the reign of Henry II., at Lincoln, was the scholastic of that cathedral<sup>22</sup>. By the eighteenth canon of the third general council of Lateran, A.D. 1179., it was decreed, that such scholaſtis should be settled in all cathedrals, with sufficient revenues for their ſupport; and that they ſhould have authority to ſuperintend all the ſchoolmaſters of the diocesſ, and grant them licences, without which none ſhould presume to teach<sup>23</sup>. The laborious authors of the literary history of France, have collected a very diſtinct account of the ſcholaſtis who preſided in the principal cathedral ſchools of that kingdom in the twelfth century, among whom we meet with many of the moſt illuſtrious names for learning of that age<sup>24</sup>. To attempt this with reſpect to England, would be quite unsuitable to the nature of general hiſtory. The ſciences that were taught in these cathedral ſchools, were ſuch as were moſt neceſſary to qualify their pupils for performing the

<sup>21</sup> Du Cange Glos. voc. *Scholaſticus*.

<sup>22</sup> Girald. Cambrenſ. de Rebus a ſe geſtis, l. 3. c. 3. apud Ang. Sac. tom. 2. p.499.

<sup>23</sup> Concil. tom. 10. p.1518. c.18.

<sup>24</sup> Histoire Literaire de la France, tom. 9. p.31—64.

Conven-  
tual  
schools.

duties of the sacerdotal office, as grammar, rhetoric, logic, theology, and church-music.

The great increase of religious houses in this period, very much increased the number of seminaries of learning, as there was a school more or less famous in almost every convent<sup>25</sup>. We may form some idea of the number added to the schools of England by this means, if we consider, that there were no fewer than five hundred and fifty-seven religious houses of different kinds founded in it between the conquest and the death of King John<sup>26</sup>. One design of these monastic schools was, to instruct the younger monks in those branches of learning that were necessary to their decent performance of the service of the church, particularly in the Latin language and church-music. Some degree of knowledge of these parts of learning was so necessary, that without it none could be admitted into the monastic order in any of the chief abbeys; and the famous Nicolas Breakspear, afterwards Pope Adrian IV., was rejected by Richard Abbot of St. Alban's, for want of a sufficient share of learning<sup>27</sup>. In these conventional schools the young monks were carefully instructed in the art of fair and beautiful writing; and those who excelled in that art, were for some years employed in the *scriptorium*, or writing-chamber, in

<sup>25</sup> Histoire Litteraire de la France, tom. 9. p. 92—132.

<sup>26</sup> See Preface to Tanner's *Notitia Monastica*.

<sup>27</sup> M. Paris, Vit. Abbat. St. Albani, p. 45. col. 2.

transcribing books for the use of the church and library<sup>28</sup>. There were such schools also in nunneries for the instruction of the younger nuns; and in some of these schools they did not confine themselves to such parts of learning as were absolutely necessary, but studied also the Greek and Hebrew languages, philosophy, physic, and divinity<sup>29</sup>. In the schools of all the larger monasteries, besides the necessary parts of learning, several other sciences were taught, as rhetoric, logic, theology, medicine, with the civil and canon law. These two last branches of learning, law and physic, being very lucrative, were so diligently studied and practised by the monks, that they were almost the only pleaders and physicians of those times. The abbey school of St. Alban's, for example, was a famous seminary of learning in this period, in which all the sciences, particularly theology, law, and physic, were taught; as appears from the verses of Alexander Neicham, one of the most learned men of the twelfth century, who was educated, and afterwards presided in that school. They were addressed to his friend Germunde, Abbot of Gloucester, and may be seen below<sup>30</sup>. Many persons

<sup>28</sup> M. Paris, Vit. Abbat. St. Albani, p. 32. col. 2.

<sup>29</sup> Histoire Literaire de la France, tom. 9. p. 127—132.

<sup>30</sup> Quod si forte foras claudat tibi Claudia, claustrum  
Martyris Albani sit tibi tuta quies.  
Hic locus ætatis nostræ primordia novit,  
Annos felices, lætitiaeque dies.  
Hic locus ingenuis pueriles imbuít annos  
Artibus, et nostræ laudis origo fuit.

sions of rank and fortune were educated in these conventional schools, to which they frequently became benefactors.<sup>31</sup>

Schools in  
towns and  
cities.

Besides all these seminaries of learning already mentioned, there were established in this period, in all the chief cities and towns of England, a kind of illustrious schools, in which the youth were instructed not only in reading, writing, and grammar, but also in several other branches of learning, as rhetoric, logic, &c. We are told by William Fitz-Stephens, who flourished in the reign of Henry II., that there were three of these illustrious schools in London, firmly established; besides several others that were occasionally opened by such masters as had obtained a high reputation for their learning<sup>32</sup>. “On holidays  
 “(says he) it is usual for these schools to hold  
 “public assemblies in the churches, in which  
 “the scholars engage in demonstrative or lo-  
 “gical disputation, some using enthymems,  
 “and others perfect syllogisms; some aiming  
 “at nothing but to gain the victory, and make  
 “an ostentatious display of their acuteness,  
 “while others have the investigation of truth  
 “in view. Artful sophists, on these occasions,

Hie artes didici, docuique fideliter; inde  
 Accessit studio lectio sacra meo.

Audivi canones, Hippocratem cum Galieno,  
 Jus civile mihi displicuisse neges.

*Leland de Script. Brit. t. I. p. 240.*

<sup>31</sup> Historia Ramfiens. chap. 67. p. 430.

<sup>32</sup> W. Stephanid. Descript. Civitat. London. edit. Oxon. 1723., 2 Jof. Sparke, p. 4.

“ acquire

“ acquire great applause ; some by a prodigious inundation and flow of words, others by their specious but fallacious arguments. After the disputationes, other scholars deliver rhetorical declamations, in which they observe all the rules of art, and neglect no topic of persuasion. Even the younger boys in the different schools contend against each other in verse, about the principles of grammar, and the preterites and supines of verbs<sup>33</sup>. ” There was, about the same time, a very famous academy in the town of St. Alban’s (besides that in the abbey), under the government of Matthew a physician, who had been educated at Salernum, and of his nephew Garinus, who excelled in the knowledge of the civil and canon law. Of this academy Matthew Paris affirms, “ That there was hardly a school in all England, at that time, more fruitful or more famous, either for the number or proficiency of its scholars<sup>34</sup>. ” This plainly intimates, that there were many schools of the same kind in England ; which is further evident from the last canon of the council of Westminster, A.D. 1138., prohibiting the scholaistics of cathedral churches from taking money for granting licences to the teachers of the schools in the several towns and villages.<sup>35</sup>

<sup>33</sup> W. Stephanid. Descript. Civitat. London. Edit. Oxon. 1723., a Jof. Sparke, p. 4.

<sup>34</sup> M. Paris, Vit. Abbat. St. Alban, p. 62. col. 1.

<sup>35</sup> J. Brompt. Chron. p. 1348.

Jewish  
schools.

That prodigious numbers of Jews crowded into England soon after the conquest, and resided in all its principal towns for some ages, is attested by all the historians of those times. Their numbers and riches were indeed so great, and the revenues derived from them by government so considerable, that (as we have already seen) a particular exchequer was appointed for their reception<sup>36</sup>. Among these Jews there were many rabbies, and men of learning, who officiated as priests in their synagogues, and professors in their schools, which they had in London, York, Lincoln, Linn, Norwich, Oxford, Cambridge, and every other town where any considerable number of them resided<sup>37</sup>. For though the sciences had been much neglected by the Jews for five or six centuries, they were cultivated by them in the twelfth with surprising ardour, and many of their rabbies of that age made a distinguished figure in the world of letters<sup>38</sup>. In their schools, besides the rites of their religion, they taught the Hebrew and Arabic languages, arithmetic, for which they had much use in their money-transactions; and medicine, by which many of them acquired both riches and reputation<sup>39</sup>. Nor were the academies of the Jewish rabbies shut against the Chris-

<sup>36</sup> Madox Hist. Excheq. p. 150—173.

<sup>37</sup> M. Paris, p. 596. A. Wood, Antiq. Oxon. p. 4. 6. Gul. Newbrigenf. l. 4. c. 7. p. 368. c. 10. p. 379.

<sup>38</sup> Histoire Literaire de la France, tom. 9. p. 132, &c.

<sup>39</sup> Id. ibid.

tian youth, but open to all who chose to take the benefit of their instructions.

From this brief account of the seminaries of learning established in Britain in the period we are now examining, it is abundantly evident, that the general *ignorance* of the laity was owing rather to the taste and manners of the times, than to the want of opportunities of acquiring at least a moderate degree of knowledge. But the truth seems to be, that this *ignorance* prevailed most amongst those in the highest and those in the lowest ranks of life; which was occasioned by the extreme dissipation of the former, who spent almost all their time, when they were not engaged in war, in rural diversions or domestic riots; and by the no less extreme depression of the latter, who were doomed to perpetual servitude and hard labour. For it is well known, that these two extremes are equally unfriendly to intellectual pursuits.



THE  
HISTORY  
OF  
GREAT BRITAIN.

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BOOK III.

CHAP. V.

*History of the Arts in Great Britain, from the landing of William Duke of Normandy, A.D. 1066., to the death of King John, A.D. 1216.*

THE arts and sciences are so nearly connected, and have so great an influence upon one another, that they commonly flourish or decline together. In the preceding chapter we have seen, that the circle of the sciences was enlarged, and that some of them were cultivated with greater care and success in this than they had been in the former period. In this chapter we shall perceive that a similar improvement took place at the same time, both in the necessary and pleasing arts, of which we shall give a plain and succinct account in two sections.

The arts improved in this period.

## SECTION I.

*History of the necessary Arts in Britain, from A.D. 1066,  
to A.D. 1216.*

What are  
necessary  
arts.

**B**Y the necessary arts, we understand such as are employed in procuring nourishment, lodging, clothing, and defence, which are justly esteemed necessary to the preservation and comfortable enjoyment of human life. Of this kind are, agriculture, architecture, the clothing arts, and those of defensive and offensive war, together with the various arts that are necessary to their operations. It is true, indeed, that architecture and the clothing arts, after they have passed a certain point of perfection, may be termed ornamental rather than necessary. But as it is impossible to fix that point; and as their primary object was to administer to our necessities, there can be no great impropriety in arranging them, in every period of this work, under the division of necessary arts. On the other hand, some arts, as those of catching beasts and birds, which, in the infancy of society, were of all others the most necessary, in a more advanced period become the favourite amusements of the great, and are prohibited to the common people. These therefore in this and the succeeding periods of this work,

are

are to be omitted in the history of arts, and introduced only in the article of diversions.

Though <sup>Pasturage and fishing.</sup> pasturage and fishing were exercised as necessary arts in this as in every other period, we know of no important improvement that was made in either of them that merits a place in history. Those who exercised them were in general of servile condition, and were transferred from one proprietor to another, with the estates to which they were annexed.

As agriculture, in its several branches, is the <sup>Agriculture.</sup> most useful of all arts, it merits our particular attention in every period. That the conquest of England by the Normans contributed to the improvement of this art in Britain, is undeniable. For by that event many thousands of husbandmen, from the fertile and well-cultivated plains of Flanders, France, and Normandy, settled in this island, obtained estates or farms, and employed the same methods in the cultivation of them that they had used in their native countries. Some of the Norman barons were great improvers of their lands, and are celebrated in history for their skill in agriculture. "Richard de Rulos, Lord of Brunne and Deeping, (says Ingulphus) was much addicted to agriculture, and delighted in breeding horses and cattle. Besides inclosing and draining a great extent of country, he imbanked the river Willand

<sup>1</sup> Rymeri Fœdera, tom. I. p. 8. Hist. Ingulphi, Oxon. edit. 1684. tom. I. p. 87.

" (which

" (which used every year to overflow the neighbouring fields) in a most substantial manner, " building many houses and cottages upon the " bank ; which increased so much, that in a " little time they formed a large town called " *Deeping*, from its low situation. Here he " planted orchards, cultivated commons, con- " verted deep lakes and impassable quagmires " into fertile fields, rich meadows, and pastures; " and, in a word, rendered the whole country " about it a garden of delights<sup>2</sup>." From the above description, it appears, that this nobleman (who was chamberlain to William the Conqueror) was not only fond of agriculture, but also that he conducted his improvements with skill and success.

The clergy made improvements in agriculture.

The Norman clergy, and particularly the monks, were still greater improvers than the nobility; and the lands of the church, especially of the convents, were conspicuous for their superior cultivation. For the monks of every monastery retained such of their lands as lay most convenient in their own possession, which they cultivated with great care, under their own inspection, and frequently with their own hands. It was so much the custom of the monks of this period to assist in the cultivation of their lands, especially in feed-time, hay-time, and harvest, that the famous Thomas Becket, after he was Archbishop of Canterbury, used to go out to the

<sup>2</sup> Hist. Ingulphi, Oxon. edit. 1684. tom. I. p. 77, 78.

fields,

fields, with the monks of the monasteries where he happened to reside, and join with them in reaping their corns and making their hay<sup>3</sup>. This is indeed mentioned by the historian as an act of uncommon condescension in a person of his high station in the church; but it is a sufficient proof that the monks of those times used to work with their own hands, at some seasons, in the labours of the field. And as many of them were men of genius and invention, they no doubt made various improvements in the art of agriculture. The 26th canon of the general council of Lateran, held A.D. 1179., affords a further proof that the protection and encouragement of all who were concerned in agriculture, was an object of attention to the church. For by that canon, it is decreed, “That all presbyters, “ clerks, monks, converts, pilgrims, and pe-“ fants, when they are engaged in the labours of “ husbandry, together with the cattle in their “ ploughs, and the seed which they carry into “ the field, shall enjoy perfect security; and that “ all who molest or interrupt them, if they do “ not desist when they have been admonished, “ shall be excommunicated.”<sup>4</sup>

The implements of husbandry were of the same kind, in this period, with those that are employed at present; but some of them were less perfect in their construction. The plough, for example, had but one stilt or handle, which the

Imple-  
ments of  
husbandry.

<sup>3</sup> Chron. Gervas, col. 1400.

<sup>4</sup> Id. col. 1456.

plough-

ploughman guided with one hand, having in his other hand an instrument which served both for cleaning and mending his plough, and breaking the clods<sup>5</sup>. The Norman plough had two wheels; and, in the light soil of Normandy, was commonly drawn by one ox, or two oxen; but in England a greater number, according to the nature of the soil, was often necessary<sup>6</sup>. In Wales the person who conducted the oxen in the plough, walked backwards<sup>7</sup>. Their carts, harrows, scythes, sickles, and flails, from the figures of them still remaining, appear to have been nearly of the same construction with those that are now used<sup>8</sup>. In Wales they did not use a sickle in reaping their corns, but an instrument like the blade of a knife, with a wooden handle at each end<sup>9</sup>. Water-mills for grinding corn were very common; but they had also a kind of mills turned by horses, which were chiefly used in their armies, and at sieges, or in places where running water was scarce.<sup>10</sup>

Operations of  
husbandry.

Though the various operations of husbandry, as manuring, ploughing, sowing, harrowing, reaping, threshing, winnowing, &c. are incidentally mentioned by the writers of this period,

<sup>5</sup> See Mr. Strutt's compleat View of the Manners, &c. of England, vol. 2. p. 12.

<sup>6</sup> M. Montfaucon Monumens de Monarchie Françoise, tom. I. plate 47. Girald. Cambren. Descript. Cambriæ, c. 17.

<sup>7</sup> Id. ibid. <sup>8</sup> Mr. Strutt's View, vol. I. plate 26. plate 32, 33.

<sup>9</sup> Girald. Cam. ibid.

<sup>10</sup> Gaufrid Vinisauf. iter Hierosolymit. l. I. c. 33. M. Paris. Vit. Abbat. p. 94. col. 2.

it is impossible to collect from them a distinct account of the manner in which these operations were performed. Marl seems still to have been the chief manure next to dung, employed by the Anglo-Norman, as it had been by the Anglo-Saxon and British husbandmen<sup>11</sup>. Summer-fallowing of lands designed for wheat, and ploughing them several times, appears to have been a common practice of the English farmers of this period. For Giraldus Cambrensis, in his description of Wales, takes notice of it as a great singularity in the husbandmen of that country, “that they ploughed their lands only “once a-year in March or April, in order to “sow them with oats; but did not, like other “farmers, plough them twice in summer, and “once in winter, in order to prepare them for “wheat<sup>12</sup>. On the border of one of the compartments in the famous tapestry of Baieux, we see the figure of one man sowing, with a sheet about his neck, containing the seed under his left arm, and scattering it with his right hand; and of another man harrowing with one harrow, drawn by one horse<sup>13</sup>. In two plates of Mr. Strutt’s very curious and valuable work, quoted in the next page, we perceive the figures of several persons engaged in mowing, reaping, threshing and winnowing; in all which opera-

<sup>11</sup> M. Paris, Hist. p. 181. col. 1. In Vit. Abbat. p. 101. col. 1.

<sup>12</sup> Giral. Cambren. Descript. Cambriæ, c. 8. p. 887.

<sup>13</sup> Montfauçon Monumens de Monarchie Françoise, tom. i. plate 47.

State of  
agriculture  
in Scot-  
land.

tions there appears to be little singular or different from modern practice.<sup>14</sup>

Agriculture seems to have been in a very imperfect state in Scotland towards the end of this period. For in a parliament held at Scone, by King Alexander II. A.D. 1214., it was enacted, that such farmers as had four oxen or cows, or upwards, should labour their lands, by tilling them with a plough, and should begin to till fifteen days before Candlemas; and that such farmers as had not so many as four oxen, though they could not labour their lands by tilling, should delve as much with hand and foot as would produce a sufficient quantity of corn to support themselves and their families<sup>15</sup>. But this law was probably designed for the highlands, and most uncultivated parts of the kingdom. For in the same parliament, a very severe law was made against those farmers who did not extirpate a pernicious weed called *guilde* out of their lands, which seems to indicate a more advanced state of cultivation.<sup>16</sup>

Garden-  
ing.

All the branches of gardening were much improved in England by the Normans, who coming from a country abounding with gardens, orchards, and vineyards, naturally laboured to introduce the same accommodations in their new settlements. William of Malmesbury, who flourished in the formerpart of the twelfth century,

<sup>14</sup> Mr. Strutt's compleat View of the Manners, Customs, &c. of England, vol. I. plates 11, 12.

<sup>15</sup> Regiam Majestatem, p. 307.

<sup>16</sup> Id. p. 335.

celebrates

celebrates the vale of Glocester, near to which he spent his whole life, for its great fertility both in corn and fruit-trees, some of which the soil produced spontaneously by the way-sides, and others were cultivated, yielding such prodigious quantities of the finest fruits as were sufficient to excite the most indolent to be industrious<sup>17</sup>. “ This vale (adds he) is planted thicker with vineyards than any other province in England; and they produce grapes in the greatest abundance, and of the sweetest taste. The wine that is made in these vineyards hath no disagreeable tartness in the mouth, and is very little inferior in flavour to the wines of France<sup>18</sup>. ” This is a decisive proof that vineyards were planted and cultivated in England, in this period, for the purpose of making wine. Many of these vineyards were planted by abbots and bishops for the benefit of their monks and clergy. Martin, for example, Abbot of St. Edmundsbury, planted a vineyard for the use of his abbey, A. D. 1140.; and Hugh Bishop of Lincoln paid a fine to the King of no less than five hundred marks, that the crops of corn produced on the estates, and wine made in the vineyards, together with the wine-presses, belonging to that see in the year in which a bishop died, should be the property of the bishop, though he should happen to die before Martinmas<sup>19</sup>. This

<sup>17</sup> W. Malmf. de Pontific. Angl. l.4. fol. 16r.

<sup>18</sup> Id. ibid.

<sup>19</sup> Chron. Saxon. p. 240. Hist. Canob. Burgenf. p. 88. Madox. Hist. Excheq. p. 289.

fine, it is true, was paid to Henry III. about fourteen years after the conclusion of this period; but the vineyards had been planted long before, and our kings had been accustomed to claim the produce of them when a bishop died before Martinmas.

Famines  
in Eng-  
land.

But notwithstanding all the improvements that were made in agriculture, and that England, was reputed the most fertile country in Europe, it cannot be denied, that there were some very severe famines felt in it in the course of this period<sup>20</sup>. An attentive examination, however, of the circumstances of these famines will serve still further to convince us, that agriculture was much improved, and a more constant supply of the necessaries of life provided, by the Normans, after they had obtained a firm establishment. For of the five great famines that raged in this period, four happened within a few years after the conquest, and were partly produced by the dreadful devastations of war; and the only destructive famine that fell out in the twelfth century (A. D. 1125.) was occasioned by prodigious rains and floods in harvest; against the fatal effects of which no skill or industry of the husbandmen can guard.<sup>21</sup>

Architec-  
ture.

Architecture, in all its branches, received as great improvements in this period as agriculture. The truth is, that the twelfth century may very properly be called the age of architecture,

<sup>20</sup> Chron. Saxon. p. 178. 184. 188. 204. 229.

<sup>21</sup> Id. ibid.

in

in which the rage for building was more violent in England than at any other time. The great and general improvements that were made in the fabrics of houses and churches in the first years of this century, are thus described by a contemporary writer : “ The new cathedrals and innumerable churches that were built in all parts, together with the many magnificent cloisters and monasteries, and other apartments of monks, that were then erected, afford a sufficient proof of the great felicity of England in the reign of Henry I. The religious of every order enjoying peace and prosperity, displayed the most astonishing ardour in every thing that might increase the splendour of divine worship. The fervent zeal of the faithful prompted them to pull down houses and churches every where, and rebuild them in a better manner. By this means the ancient edifices that had been raised in the days of Edgar, Edward, and other Christian kings, were demolished, and others of greater magnitude and magnificence, and of more elegant workmanship, were erected in their room to the glory of God.”<sup>22</sup>

As the prodigious power of religious zeal, whatever turn it happens to take, when it is thoroughly heated, is well known, it may not be improper to give one example of the arts employed by the clergy and monks of this period, Arts of the clergy.

\* Orderic. Vital. Hist. Eccles. l. 10. p. 788.

to inflame the pious ardour of the kings, nobles, and people, for building and adorning churches. When Joffred, Abbot of Croyland, resolved to rebuild the church of his monastery in a most magnificent manner, A.D. 1106., he obtained from the Archbishops of Canterbury and York, a bull dispensing with the third part of all penances for sin to those who contributed any thing towards the building of that church. This bull was directed not only to the King and people of England, but to the Kings of France and Scotland, and to all other kings, earls, barons, archbishops, bishops, abbots, priors, rectors, presbyters, and clerks, and to all true believers in Christ, rich and poor, in all Christian kingdoms. To make the best use of this bull, he sent two of his most eloquent monks to proclaim it over all France and Flanders, two other monks into Scotland, two into Denmark and Norway, two into Wales, Cornwall, and Ireland, and others into different parts of England. “ By this means “ (says the historian) the wonderful benefits “ granted to all the contributors to the building “ of this church were published to the very ends “ of the earth ; and great heaps of treasure and “ masses of yellow metal flowed in from all “ countries, upon the venerable Abbot Joffred, “ and encouraged him to lay the foundations of “ his church.” Having spent about four years in collecting mountains of different kinds of marble from quarries both at home and abroad, together with great quantities of lime, iron, brass,

brass, and other materials for building, he fixed a day for the great ceremony of laying the foundation, which he contrived to make a very effectual mean of raising the superstructure. For on the long-expected day, the feast of the holy virgins Felicitas and Perpetua, an immense multitude of earls, barons, and knights, with their ladies and families, of abbots, priors, monks, nuns, clerks, and persons of all ranks, arrived at Croyland, to assist at this ceremony. The pious Abbot Joffred began by saying certain prayers, and shedding a flood of tears, on the foundation. Then each of the earls, barons, knights, with their ladies, sons, and daughters, the abbots, clerks, and others, laid a stone, and upon it deposited a sum of money, a grant of lands, tithes, or patronages, or a promise of stone, lime, wood, labour, or carriages, for building the church. After this the Abbot entertained the whole company, amounting to five thousand persons, at dinner<sup>23</sup>. To this entertainment they were well entitled; for the money, and grants of different kinds, which they had deposited on the foundation-stones, were alone sufficient to have raised a very noble fabric. By such arts as these the clergy inspired kings, nobles, and people of all ranks, with so ardent a spirit for these pious works, that in the course of this period almost all the sacred edifices in England were rebuilt, and many hundreds of new

<sup>23</sup> P. Blefens. Continuat. Hist. Ingulph. p. 113—120.

ones raised from the foundation. Nor was this spirit confined to England, but prevailed as much in Scotland in proportion to its extent and riches, King David I. alone, besides several cathedrals and other churches, built no fewer than thirteen abbeys and priories, some of which were very magnificent structures.<sup>24</sup>

Sacred architecture.

The sacred architecture of the Anglo-Normans in the beginning of this period, did not differ much in its style and manner from that of the Anglo-Saxons; their churches being in general plain, low, strong, and dark; the arches both of the doors and windows semicircular; with few or no ornaments<sup>25</sup>. By degrees, through much practice, our architects, who were all monks or clergymen, improved in their taste and skill, and ventured to form plans of more noble, light, and elevated structures, with a great variety of ornaments; which led to that bold magnificent style of building, commonly, though perhaps not very properly, called *the latter Gothic*. It is not improbable that our monkish architects were assisted in attaining this style of building by models from foreign countries, or by instructions from such of their own number as had visited Italy, France, Spain, or the East. But, without entering into uncertain disputes about the origin of this style of architecture, it is sufficient

<sup>24</sup> Spottiswoode's Religious Houses.

<sup>25</sup> Dr. Ducarel's Anglo-Norman Antiquities, p. 102., &c. Mr. Strutt's Manners, &c. of England, vol. 1. p. 102. Bentham's Hist. Ely, pref. Grose's Antiquities of England, pref. p. 63. &c.

to observe that it began to appear in England in the reign of Henry II. and was distinguished from the more ancient Gothic by the following marks. The walls were much higher though not so thick and supported on the outside by buttresses;—the doors and windows were wider and loftier, and the arches of both were no longer semicircular, but pointed; and were sometimes ornamented with clusters of pillars on each side, and great variety of carvings—the larger windows had mullions of stone for ornament; and for the conveniency of fixing the glass, the pillars that supported the roof were lofty and slender, and frequently surrounded with small pillars that made them appear like a cluster;—the arches of the roof, like those of the doors and windows, were pointed;—the roof was covered with lead, and the fabric ornamented on the top at each end with pinnacles, and with a tower over the middle of the cross; on which about the end of this period, very lofty spires of wood and stone began to be erected<sup>26</sup>. This mode of architecture, which, with some variations, flourished more than three centuries, produced many stupendous edifices, which are still viewed with pleasure and admiration. Many of these magnificent structures were built with stones brought from the quarries near Caen in

<sup>26</sup> Sir Christ. Wren's Parentalia, p. 298. Bentham, Hist. Ely pref. Grofe's Antiquities, pref. p. 70.

Normandy, which very much enhanced the expence of their erection.<sup>27</sup>

Civil ar-  
chitecture.

The houses of the common people in the country, and of the lower burghesses in towns and cities, were very little improved in their structure in the course of this period; that most numerous and useful order of men being much depressed in the times we are now delineating. Even in the capital city of London, all the houses of mechanics and common burghesses were built of wood, and covered with straw or reeds, towards the end of the twelfth century<sup>28</sup>. But the palaces, or rather castles, of the Anglo-Norman kings, barons, and prelates, were very different from the residences of persons of the same rank in the Anglo-Saxon times. For this we have the testimony of a person of undoubted credit, who was well acquainted with them both. “The Anglo-Saxon nobles (says William of Malmesbury) squandered away their ample revenues in low and mean houses; but the French and Norman barons are very different from them, living at less expence, but in great and magnificent palaces<sup>29</sup>. ” The truth is, that the rage of building fortified castles was no less violent among the Norman princes, prelates, and barons, than that of building churches. To this they were prompted, not only by the custom of their native country, but

<sup>27</sup> Grose's Antiquities, pref. p. 77.

<sup>28</sup> Stow's Survey of London, vol. I. p. 69.

<sup>29</sup> W. Malmf. p. 57. col. 2.

also

also by their dangerous situation in this island. Surrounded by multitudes, whom they had depressed and plundered, and by whom they were abhorred, they could not think themselves safe without the protection of deep ditches and strong walls. The conqueror himself was sensible, that the want of fortified places in England had greatly facilitated his conquest, and might facilitate his expulsion; and therefore he made all possible haste to remedy this defect, by building very magnificent and strong castles in all the towns within the royal demesnes. “ William (says Matthew Paris) excelled all his predecessors in building castles, and greatly harassed his subjects and vassals with these works<sup>30</sup>.” All his earls, barons, and even prelates, imitated his example; and it was the first care of every one who received the grant of an estate from the crown to build a castle upon it for his defence and residence. The disputes about the succession in the following reigns, kept up this spirit for building great and strong castles. William Rufus was still a greater builder than his father. “ This William (says Henry Knyghton) was much addicted to building royal castles and palaces, as the castles of Dover, Windsor, Norwich, Exeter, the palace of Westminster, and many others, testify; nor was there any king of England

<sup>30</sup> M. Paris, Hist. p. 8. col. 2. Simeon Dunelm. Hist. col. 197, 198.  
R. de Diceto Chron. col. 482.

“ before

“ before him that erected so many, and such noble edifices<sup>31.</sup>” Henry I. was also a great builder both of castles and monasteries<sup>32.</sup> But this rage for building never prevailed so much in any period of the English history as in the turbulent reign of King Stephen, from A. D. 1135. to A. D. 1154. “ In this reign (as we are told by the author of the Saxon Chronicle) every one who was able, built a castle; so that the poor people were worn out with the toil of these buildings, and the whole kingdom was covered with castles<sup>33.</sup>” This last expression will hardly appear too strong, when we are informed, that besides all the castles before that time in England, no fewer than eleven hundred and fifteen were raised from the foundation in the short space of nineteen years.<sup>34.</sup>

Military architecture.

An art so much practised as architecture was in this period, must have been much improved. That it really was so, will appear from the following very brief description of the most common form and structure of a royal castle, or of that of a great earl, baron, or prelate, in this period; and as these castles served both for residence and defence, this description will serve for an account both of the domestic and military architecture of those times, which cannot well be separated.

<sup>31</sup> Hen. Knyghton, col. 2373.

<sup>32</sup> R. de Diceto Chron. col. 505.

<sup>33</sup> R. de Diceto, col. 528.

<sup>34</sup> Chron. Saxon. p. 238.

The situation of the castles of the Anglo-Norman kings and barons was most commonly on an eminence, and near a river; a situation on several accounts eligible. The whole site of the castle (which was frequently of great extent and irregular figure) was surrounded by a deep and broad ditch, sometimes filled with water, and sometimes dry, called *the fosse*<sup>35</sup>. Before the great gate was an outwork, called *a barbacan*, or *antemural*, which was a strong and high wall, with turrets upon it, designed for the defence of the gate and drawbridge<sup>36</sup>. On the inside of the ditch stood the wall of the castle, about eight or ten feet thick, and between twenty and thirty feet high, with a parapet, and a kind of embrasures, called *crennels*, on the top. On this wall at proper distances square towers of two or three stories high were built, which served for lodging some of the principal officers of the proprietor of the castle and for other purposes; and on the inside were erected lodgings for the common servants or retainers, granaries, storehouses, and other necessary offices. On the top of this wall, and on the flat roofs of these buildings, stood the defenders of the castle, when it was besieged, and from thence discharged arrows, darts, and stones, on the besiegers. The great gate of the castle stood in the course of this wall, and was strongly fortified with a tower on each side, and rooms over the passage, which was closed with thick

<sup>35</sup> Du Cange Gloss. voc. *Fossum*.

<sup>36</sup> Id. voc. *Barbacana*.

folding doors of oak, often plated with iron, and with an iron portcullis or grate let down from above. Within this outward wall was a large open space or court, called in the largest and most perfect castles, the *outer bayle* or *ballium*, in which stood commonly a church or chapel. On the inside of this outer bayle was another ditch, wall, gate, and towers, inclosing the inner bayle, or court, within which the chief tower or *keep* was built. This was a very large square fabric, four or five stories high, having small windows in prodigious thick walls, which rendered the apartments within it dark and gloomy. This great tower was the palace of the prince, prelate, or baron, to whom the castle belonged, and the residence of the constable or governor. Under ground were dismal dark vaults, for the confinement of prisoners, which made it sometimes be called *the dungeon*. In this building also was the great hall, in which the owner displayed his hospitality, by entertaining his numerous friends and followers<sup>37</sup>. At one end of the great halls of castles, palaces, and monasteries, there was a place raised a little above the rest of the floor, called *the deis*, where the chief table stood, at which persons of the highest rank dined<sup>38</sup>. Though there were unquestionably great variations in the structure of

<sup>37</sup> See Mr. Grose's Preface, p. 5, 6, 7, 8. to his Antiquities of England and Wales, from which I gratefully acknowledge the above description is chiefly taken.

<sup>38</sup> M. Paris, Vit. Abbat, p. 92. col. 1. p. 148. col. 1.

castles and palaces in this period, yet the most perfect and magnificent of them seem to have been constructed nearly on the above plan. Such, to give one example, was the famous castle of Bedford, as appears from the following account of the manner in which it was taken by Henry III., A.D. 1224.<sup>39</sup> The castle was taken by four assaults. “ In the first was taken the barbacan ; in the second the outer ballia ; at the third attack, the wall by the old tower was thrown down by the miners, where, with great danger, they possessed themselves of the inner ballia, through a chink ; at the fourth assault, the miners set fire to the tower, so that the smoke burst out, and the tower itself was cloven to that degree, as to shew visibly some broad chinks ; whereupon the enemy surrendered.”<sup>40</sup>

The castles, monasteries, and greater churches of this period, were generally covered with lead, the windows, glazed ; and when the walls were not of ashler, they were neatly plastered and whitewashed on both sides<sup>41</sup>. The doors, floors, and roof, were commonly made of oak planks and beams, exactly smoothed and jointed, and frequently carved<sup>42</sup>. It is hardly necessary to observe, that the building one of these great and magnificent castles, monasteries, or churches, of

Famous  
architects.

<sup>39</sup> M. Paris, Hist. Ang. p. 221, 222.

<sup>40</sup> Camden's Britannia, vol. 1. p. 314. col. 2.

<sup>41</sup> M. Paris, Vit. Abbat. p. 42. col. 2.      <sup>42</sup> Id. ibid. p. 79. col. 2.

which

which there were many in England, must have been a work of prodigious expence and labour; and that the architects and artificers, by whom that work was planned and executed, must have attained considerable dexterity in their respective arts. Several of these architects have obtained a place in history, and are highly celebrated for their superior skill. William of Sens, architect to Archbishop Lanfranc in building his cathedral, is said, by Gervase of Canterbury, to have been a most exquisite artist both in stone and wood. He made not only a model of the whole cathedral, but of every particular piece of sculpture and carving, for the direction of the workmen; and invented many curious machines for loading and unloading ships, and conveying heavy weights by land, because all the stones were brought from Normandy<sup>43</sup>. Matthew Paris speaks even in a higher strain of Walter of Coventry, who flourished towards the end of this period, when he says, that “so excellent an architect had never yet appeared, and probably never would appear, in the world<sup>44</sup>.” This encomium was undoubtedly too high; but it is impossible to view the remains of many magnificent fabrics, both sacred and civil, that were erected in this period, without admiring the genius of the architects by whom they were

<sup>43</sup> Gervas de Combustione et Reparatione Dorobernens. Eccles. col. 1290, 1291.

<sup>44</sup> M. Paris, Vit. Abbat. p. 79. col. 2.

planned,

planned, and the dexterity of the workmen by whom they were executed.

Though the arts of refining and working metals, which are so useful in themselves, and so necessary to the practice of the other arts, were very far from being in an imperfect state among the Anglo-Saxons, they certainly received some improvements in the present period <sup>45</sup>. The art of making defensive armour, in particular, was brought to such perfection, that a knight completely armed was almost invulnerable <sup>46</sup>. A suit of this armour consisted of many different pieces, for the several parts of the body, nicely jointed, to make them fit easy, and allow freedom of motion and exertion of strength; the whole was well tempered, finely polished, and often beautifully gilt, which are sufficient evidences of the dexterity of the artists <sup>47</sup>. But those who wrought in the more precious metals of gold and silver, had attained to still greater perfection in their art. This appears from the direct testimony of contemporary writers, and from the descriptions of some of the works of these artists. When Robert, Abbot of St. Alban's, sent a present of two candlesticks made of gold and silver, with wonderful art, to his country-man Pope Adrian IV., A.D. 1158., they were greatly admired and praised by that pontiff and his courtiers, who acknowledged they had never beheld any pieces

Metallic  
arts.

<sup>45</sup> See vol. 4. chap. 5. p. 127.

<sup>46</sup> Orderic. Vital. p. 854.

<sup>47</sup> Martin. Anecdot. tom. 1. col. 1306.

of workmanship of that kind so exquisitely beautiful <sup>48</sup>. A goldsmith, named Baldwine, who flourished in the reign of Henry II., was very famous, and made many admirable pieces of plate for the use of churches. "Simon, Abbot of St. Alban's, (says Matthew Paris,) dedicated to God, and the church of the holy martyr Alban, for the perpetual preservation of his own memory, a very large cup of gold, than which there was not one more noble or beautiful in all England. It was made of the purest gold, by that renowned goldsmith, Master Baldwine, adorned with flowers and foliages of the most delicate workmanship, and set around with precious stones in the most elegant manner. Besides this, he gave to that church a vessel for keeping the eucharist, which was suspended over the high altar, and excited universal admiration. It was made by the hand of the same Baldwine; and though it was of the finest gold, and enriched with precious stones of inestimable value, the workmanship was more excellent than the materials <sup>49</sup>." These artists also excelled in casting figures of all kinds, in brass, silver, and gold, for ornamenting cabinets, shrines, altars, and the like. There was in the same abbey of St. Alban's a shrine adorned with the whole history of our Saviour's passion, in such cast figures <sup>50</sup>. The excessive riches of the church in

<sup>48</sup> M. Paris, Vit. Abbat. p. 47. col. 1.

<sup>49</sup> Id. ibid. p. 60. col. 2.

<sup>50</sup> Id. ibid. p. 61. col. 1.

this period, and the ambition of many prelates and abbots, to display their piety and gratify their pride, by adorning their cathedrals and abbeys, contributed very much to the improvement of this, and of several other arts, by affording the highest encouragement to the artists. The truth is, that many of the most curious artists of this period were ecclesiastics, and some of them even prelates; and that in some churches there were certain prebends appropriated to those of their clergy who excelled as architects, workers in stone, wood, or metals, and such arts as were necessary in building and adorning monasteries and cathedrals.<sup>51</sup>

The arts of dressing and spinning wool and flax, weaving both linen and woollen cloth, and several other clothing arts, were well known to the Anglo-Saxons, and practised by them with no little success, before the conquest<sup>52</sup>. There is, however, sufficient evidence that all these arts were improved after that event, in the course of our present period. This was partly owing to the great multitude of manufacturers of cloth, who came from Flanders, and settled in England, in those times. The people of that country were then so famous for their skill in the woollen manufactory, that one of our ancient historians says, “the art of weaving seemed to be a peculiar gift bestowed upon them by

Clothing  
arts.

<sup>51</sup> Histoire Litteraire de la France, tom. 7. p. 141, 142. tom. 9. p. 221, &c.

<sup>52</sup> See vol. 4. chap. 5. p. 132—137.

“ nature <sup>53</sup>. ” By this they were so much enriched, that some of their manufacturers and merchants rivalled princes in wealth and luxury. Besides the great number of Flemings who came over in the army of the Conqueror, there were several considerable emigrations of them from their own country into England, particularly in the reigns of Henry I. and King Stephen <sup>54</sup>. After their settlement in this island, which abounded in the best materials for their manufactures, they pursued their former occupation with great advantage to themselves and to the kingdom. Giraldus Cambrensis, in his Itinerary of Wales, observes, that “ the inhabitants of the district of Ross in Pembrokeshire, who derived their origin from Flanders, were much addicted to, and greatly excelled, in the woollen manufactory.” <sup>55</sup>

Weavers' gilds.

For the improvement of the clothing-arts the weavers in all the great towns of England were formed into gilds or corporations, and had various privileges bestowed upon them by royal charters, for which they paid certain fines into the exchequer. The weavers of Oxford paid a mark of gold for their gild, in the fifth of King Stephen; those of London paid fifteen pounds for theirs in the fifteenth, and those of Lincoln fined two chaseures or hounds for theirs in the

<sup>53</sup> Gervas Chron. col. 1349.

<sup>54</sup> J. Brompt. Chron. 1003. Gervas, col. 1349.

<sup>55</sup> Girald. Cambrensis. Itinerarium Walliae, l. i. ch. ii. p. 848.

twelfth of the same reign<sup>56</sup>. In the twelfth of Henry II. the weavers of Winchester paid one mark of gold as a gresome, and two marks as their annual rate, for enjoying the rights of their gild, and the privilege of chusing their own aldermen; and in the same year, the fullers of the same city, who formed another corporation, paid six pounds for their gild.<sup>57</sup>

In the reign of Richard I. the woollen manufactory became the subject of legislation; and a law was made, A.D. 1197., for regulating the fabrication and sale of cloth. By that law, “ it  
 “ was enacted,—That all woollen cloths shall  
 “ every where be made of the same breadth,  
 “ viz. two ells within the lists; and of the same  
 “ goodness in the middle as at the sides.—  
 “ That the ell shall be of the same length over  
 “ all the kingdom, and that it shall be made of  
 “ iron.—That no merchant in any part of the  
 “ kingdom of England shall stretch before his  
 “ shop or booth, a red, or black cloth, or any  
 “ other thing, by which the sight of buyers  
 “ is frequently deceived in the choice of good  
 “ cloth.—That no cloth of any other colour  
 “ than black shall be sold in any part of the  
 “ kingdom, except in cities and capital burghs;  
 “ and that in all cities and burghs, four or six  
 “ men, according to the size of the place, shall  
 “ be appointed to enforce the observation of  
 “ these regulations, by seizing the persons and

Laws respecting  
the wool-  
len manu-  
factory.

<sup>56</sup> Madox Hist. Excheq. ch. 13. sect. 3. p. 323.

<sup>57</sup> Id. ibid.

“ goods of all who transgresſ them ”<sup>58</sup>. This remarkable law demonstrates, that the manufactory of broad cloth was not only established in England in this period, but that it had arrived at considerable maturity, and had become an object of national attention. There is evidence still remaining that this law was for some time very strictly executed; but that in the reign of King John, when every thing became venal, the merchants and manufacturers purchased licences to make their cloth either broad or narrow as they pleased, which brought considerable sums into the royal exchequer.<sup>59</sup>

**Tapestry.** That tapestry hangings, with historical figures woven in them, were used in England in this period, we have the clearest evidence. Richard, who was Abbot of St. Alban’s from A. D. 1088. to A. D. 1119., made a present to his monastery of a suit of hangings, which contained the whole history of St. Alban<sup>60</sup>. But whether these hangings had been made in England or not is uncertain, although it is not improbable that this curious art might be introduced by some of the many manufacturers from the Netherlands, who settled in Britain in this period.

**Silks.** Silks of various kinds are frequently mentioned both in the records and by the historians of this period, and even seem not to have been very

<sup>58</sup> Hoveden. Annal. p. 440. col. 2. M. Paris Hist. Ang. p. 134.

<sup>59</sup> Hoveden. Annal. p. 467. col. 2.

<sup>60</sup> M. Paris, Vit. Abbat. p. 35. col. 1.

uncommon.

uncommon. For we often meet with accounts of silk vestments, cops, altar-cloths, hangings, &c. in great quantities, purchased by prelates, for the use of themselves, their clergy, and their churches<sup>61</sup>. Nor was the use of silks confined to the church and clergy. They were worn also by kings, queens, princes, and other persons of high rank, especially on solemn occasions<sup>62</sup>. But it is much more probable, that these silks were imported from Spain, Sicily, Majorca, Ivica, and other countries, than that they were manufactured in Britain. The silk manufactory seems to have flourished greatly, at this time, in the two last-mentioned islands, as each of them paid an annual tribute of two hundred pieces of silk to the King of Arragon<sup>63</sup>. Roger King of Sicily having taken the cities of Corinth, Thebes, and Athens, A.D. 1148., got into his hands a great number of silk weavers, brought them, with the implements and materials for the exercise of their art, and settled them at Palermo in Sicily<sup>64</sup>. A writer who visited this manufactory, A.D. 1169., represents it to have been then in a most flourishing condition, producing great quantities of silks, both plain and figured, of many different colours. “ There (adds he) you might have seen other workmen making silks

<sup>61</sup> Anglia Sacra, tom. 2. p. 416. 421. W. Malmf. p. 118. Historia Cœnobii Burgens. a Josepho Sparke edit. London 1723. p. 100, &c.

<sup>62</sup> Madox Hist. Excheq. chap. 10. sect. 12.

<sup>63</sup> R. Hoveden. Annal. p. 387. col. 2.

<sup>64</sup> Otto Frisingens. Hist. Imp. Frederic. l. 1, c. 33.

“ interwoven with gold, and adorned with  
“ figures, composed of many sparkling gems<sup>65</sup>. ”  
It will afterwards appear, that those elegant arts  
were not long confined to Sicily.

Embroid-  
ery.

We have already seen that the Anglo-Saxon ladies before the conquest, excelled in the art of embroidery<sup>66</sup>. This art was rather improved than injured by that event, and the English ladies still maintained their superiority in this respect. When Robert Abbot of St. Alban's visited his countryman Pope Adrian IV., he made him several valuable presents, and, amongst other things, three mitres, and a pair of sandals, of most admirable workmanship. His Holiness refused his other presents, but thankfully accepted of the mitres and sandals, being charmed with their exquisite beauty. These admired pieces of embroidery were the work of Christina Abbess of Markgate<sup>67</sup>. Another pope, not long after, admired the embroidered vestments of some English clergymen, asked where they had been made; and being answered—in England,—he cried out, —“ O England ! thou garden of delights, thou  
“ inexhaustible fountain of riches, from thee I  
“ never can exact too much ; ” and immediately dispatched his bulls to several English abbots, commanding them to procure him some of these embroidered cloths and silks for his own dress<sup>68</sup>.

<sup>65</sup> Falcaldus *Historia Sicula*, *Præfat.*

<sup>66</sup> See vol. 4. ch. 5. p. 133. <sup>67</sup> M. Paris, *Vit. Abbat.* p. 46.

<sup>68</sup> Spelman. *Gloss. voc. Aurifrisia.* M. Paris Hist. p. 473.

From the descriptions of these sacerdotal vestments in our ancient writers, they seem to have merited the admiration which they excited. Some of them (as we are informed by contemporary writers) were almost quite covered with gold and precious stones, and others adorned with the most beautiful figures of men, beasts, birds, trees, and flowers<sup>69</sup>. It may not however be improper to suggest, that if these and other works, which appeared so exquisitely beautiful to the writers of this period, were now extant, it is probable that they would not excite so much admiration in the present age, when the arts are so much improved.

No art was more necessary, more cultivated, or more improved, in Britain, in this period, than that of war. "The Normans (says William of Malmesbury) are a people who delight in war, and are unhappy when they are not engaged in some military operation. They excel in all the arts of attacking their enemies when their forces are sufficient; and, when these are defective, they are no less expert in military stratagems, and the arts of corruption by money."<sup>70</sup>

The armies of Britain, and of all the nations of Europe, in the feudal times, consisted chiefly of cavalry, composed of earls, barons, knights, and others, who held their lands by knights' ser-

Their  
armies.

<sup>69</sup> M. Paris, Vit. Abbat. p. 40. col. 1. Historia Cœnobii Burgens. p. 100, 101.

<sup>70</sup> W. Malmf. l. 5. p. 57. col. 2.

vice, or of their substitutes. All these were obliged, by their tenures, to take the field when called upon by their sovereign, together with a certain number of knights, well mounted and properly armed, and to serve a certain number of days at their own expence, their lands being considered as their pay. As it often happened, that many who held lands by knights' service, were superannuated, or infirm, or otherwise incapable of performing that service in person, they were permitted, or rather obliged, to perform it by proper substitutes. The clergy also, who possessed a great proportion of lands, for which they could not in person perform the military services, because they were prohibited by the canons, were subjected to the same necessity of performing these services by substitutes, that the national defence might be complete. As many of the wars of the kings of England, in this period, were carried on in Normandy and France, the personal performance of their military services became very inconvenient and expensive to the possessors of lands in England; which induced many of them to redeem these services, by paying the tax called *scutage*. With the money arising from this tax, the kings engaged soldiers of fortune to perform the services. The cavalry therefore of the British armies, in this period, consisted of such earls, barons, and knights, as were able and willing to perform the military services for their lands in person, and of the substitutes of the clergy and others, either

provided by themselves, or hired by the king. If all these, belonging to England, had been collected together, they would have formed a body of sixty thousand horsemen, as there were sixty thousand knights' fees in that kingdom.<sup>71</sup>

The defensive armour of the British cavalry have been already described, except their shields, which they carried on their left arms, and with which they warded off the blows of their enemies.<sup>72</sup> These shields were of an oval form, considerably broader at the top than at the bottom. Even the horses of some of the princes, earls, barons, and chief knights, were covered with armour of steel or iron.<sup>73</sup> The offensive arms of the cavalry were, 1. long spears, or lances, made of some light strong wood, as fir or ash, and pointed with steel, very sharp, and well tempered; 2. long and broad swords, double-edged, and sharp-pointed; 3. a short dirk or dagger.<sup>74</sup>

The infantry of the British armies of this period consisted of the freemen of the several British states, who did not hold lands of the sovereign by knights' service, but were possessed of property to a certain extent, for which they were obliged to contribute to the public defence. By the famous assize of arms made by Henry II., A.D. 1181., every freeman who was possessed of sixteen marks, either in lands or goods, was ob-

<sup>71</sup> Orderic. Vital. p. 523.

<sup>73</sup> Hoveden. Annal. p. 44. col. 2.

<sup>72</sup> See p. 193.

<sup>74</sup> Hoveden. p. 350. col. 1.

liged

liged to provide the armour and weapons of a man at arms; and every freeman and burgess who possessed ten marks was obliged to provide the armour and arms of an ordinary foot-soldier<sup>75</sup>. The defensive armour of a man at arms was a coat of mail, a helmet, and a shield; and his offensive weapons, a spear and a sword. The defensive armour of an ordinary foot-soldier was a wambois, or jacket twilted with cotton, and an iron scull-cap; his offensive arms, a spear, or a bow and arrows, or a sling, with a sword. These arms, by the same assize, were neither to be sold, nor pledged, nor seized for debt, nor any way alienated, but transmitted by every man to his heir; and if any one who possessed them was not capable of using them, he was obliged to provide one who was capable, when he was called into the field<sup>76</sup>. By these wise regulations every man who had any valuable stake in the state was obliged to contribute to the public safety, and was constantly provided with the means of doing it.

Mercenary troops. Besides these national forces, there were, in this period, several bands of mercenary soldiers of fortune, who made a trade of war, and were occasionally taken into the pay of the kings of England. These were called by various names, as, *Ruptarii*, *Bragmanni*, *Coterelli*, and most commonly *Brabanzons*, because many of them were

<sup>75</sup> Hoveden p. 350. col. 1.

<sup>76</sup> Id. ibid.

natives of Brabant<sup>77</sup>. They are painted by the historians of those times in the most odious colours, as a collection of desperate lawless ruffians, who lived by plunder, when they were not employed in war<sup>78</sup>. Stephen seems to have been the first English king who took these miscreants into his pay; and his example was imitated by his three successors, Henry II., Richard I., and John<sup>79</sup>. But it was only in times of great confusion, when many of their own subjects had revolted, that our princes had recourse to such destructive auxiliaries. These troops of banditti, rather than of soldiers, became at length so terrible, especially to the clergy, that they were solemnly excommunicated by the third general council of Lateran, A.D. 1179., and a croisade was set on foot for their extermination<sup>80</sup>. One Durand, a common carpenter, pretending to have received a commission from the Virgin Mary in a vision, A.D. 1182., put himself at the head of this croisade, and formed a military society for the destruction of the Brabanzons; which, after a long and bloody struggle, was accomplished.<sup>81</sup>

The sovereign of every feudal state was, by <sup>Military</sup>  
the constitution, generalissimo or commander in <sup>officers.</sup>

<sup>77</sup> Du Cange Gloss. voc. *Ruptarii*, *Coterelli*, *Brabantes*. *Anglia Sacra*, tom. 2. p. 391. <sup>78</sup> Gervasii Chron. col. 1461.

<sup>79</sup> J. Hagulstad, col. 282. W. Neubrigen. l. 2. c. 27. *Anglia Sacra*, tom. 2. p. 391. M. Paris, *Vita Abbat.* p. 77. col. 2.

<sup>80</sup> Benedict. Abbas, tom. 1. p. 229. ad ann. 1179.

<sup>81</sup> Gervas Chron. col. 1461.

chief

chief of its forces; and all the British princes of this period performed that office in person, appearing constantly at the head of their armies. This was not altogether owing to the martial character of these princes, but was absolutely necessary to preserve some degree of discipline in armies composed of haughty independent barons and their followers. The constable, who was the highest military officer, commanded under the king, and, with the assistance of the marshal and his officers, superintended the musters, regulated the quarters, marches, and incampments; determined all disputes, and appointed the punishment of delinquents, according to martial law<sup>82</sup>. Every earl commanded the troops of his county, and every baron those of his barony. All these offices or commands were hereditary; which, as John of Salisbury observes, was a defect in the military system of the middle ages, because by this means many persons were invested with offices of great importance, for which they were naturally unqualified. “In our time” (says he) “military skill and discipline have much declined, and are almost quite destroyed; because many possess the highest offices, without having passed through the subaltern degrees; who are proud indeed of their commands and titles, but despise the most necessary qualifications. Young men

<sup>82</sup> Pasquier Recherches, p. 104. Spelman Gloss. voc. *Constabularius, Mariscallus.*

“ who

“ who are gamesters, hunters, hawkers, and even natural fools, who have never handled arms, or acquired any knowledge of the arts of war, take upon them to act the part of generals.”<sup>83</sup>

The royal standard was considered as the centre of the whole army. In the day of battle it was carried by some great baron, who was standard-bearer of the kingdom, whose office was very honourable, and commonly hereditary. Henry de Essex was standard-bearer of England in the reign of Henry II., but in a battle against the Welsh, A. D. 1157., he was seized with a panic, and threw down the royal standard; on which the whole army concluded that the King was killed. Being tried for this crime, and convicted, he was condemned to lose his office, his fortune, and his life; which last was spared by the clemency of the King.<sup>84</sup> Every earl and baron had his particular standard painted with the armorial ensigis of his family; and even bishops and abbots had also standards, with different devices, that accompanied their troops when they took the field.<sup>85</sup> These standards served not only to distinguish one body of troops from another, and to be a centre of union to each, but they also contributed to animate the soldiers to fight with courage for their preserva-

<sup>83</sup> J. Sarisburiensis de Nugis Curialium, l. 6. c. 16. p. 366.

<sup>84</sup> J. Brompt. Chron. col. 1048. Gervas Chron. col. 1380.

<sup>85</sup> Simeon Dunelm. Hist. col. 262.

tion; because to lose their standard, was esteemed the greatest disgrace. The shapes and devices of these standards may be seen in the works quoted below.<sup>86</sup>

Martial  
music.

The several corps in the army had bands of martial music, which served to cheer them in their marches, to rouse and inflame their courage in battle, and to drown the cries and groans of the wounded. These martial musicians made use of various instruments, as horns, trumpets, drums, flutes, fifes, and heroins; the last of which are now unknown<sup>87</sup>. The charge to battle was given by the sound of all the instruments of martial music in both armies, commonly accompanied with the shouts or martial songs of the combatants.<sup>88</sup>

Order of  
battle.

It is not to be imagined that any particular rule was fixed for the arrangement of the troops in the order of battle. This must at all times be liable to great variations, arising from the nature of the ground, the quality of the troops, the genius of the commanders, the dispositions of the enemy, and other circumstances. In general, however, the Normans seem to have drawn up their different kinds of troops in different lines, rather than to have formed them into one solid

<sup>86</sup> Mr. Strutt's regal and ecclesiastical Antiquities of England, plate 3. His complete View of the Manners, &c. of England, vol. I. plates 38. 46, 47.

<sup>87</sup> Vinesauf. Iter Richardi Regis, l. 3. c. 2.

<sup>88</sup> W. Pictavien. p. 201. Orderic. Vital. p. 501. Hen. Knyghton, col. 2342.

compact

compact body, which was the most common method of the Anglo-Saxons. In the famous battle of Hastings, the different practice of the two nations was most conspicuous. King Harold formed his whole army into one solid body, which made a kind of castle, impenetrable on all sides, of which the royal standard was the centre<sup>89</sup>. The Duke of Normandy, on the contrary, drew up his army in three lines, according to the custom of his country. “In the first line (to use the words of a contemporary historian, who was a witness of what he relates) ‘he placed the foot, who were armed with bows and arrows, or with slings; in the second line ‘he placed the heavy armed foot, who were ‘defended with coats of mail; and in the third ‘line he placed his cavalry, in which his chief ‘strength consisted, and among whom he was in ‘person’<sup>90</sup>. Agreeable to this disposition of the Norman army, the battle was begun by the first line, with a shower of arrows and stones from their bows and slings; which did considerable execution, but could not break the solid phalanx of their enemies, who repulsed them by throwing darts, javelins, and stones. The second line then advanced to the attack; and was in the same manner repulsed. At last the cavalry advanced in a deep and heavy body, and with their lances and swords made a most furious assault upon the

<sup>89</sup> R. de Diceto, col. 480. J. Brompt. col. 960.

<sup>90</sup> W. Pictavien. p. 201.

English ; who still stood firm like a wall composed of shields and spears ; and if they had not been tempted, by the pretended flight of their enemies, to depart from their original disposition, they would have been invincible<sup>91</sup>. But though the above seems to have been the most common method used by the Normans in the arrangement of their troops ; yet so many deviations from it occur in the descriptions of the battles fought in Britain and Normandy in this period, that they cannot be enumerated. In the famous battle of the Standard, for example, they adopted the Anglo-Saxon method, and formed their forces into one compact body, with the standard in the centre<sup>92</sup>. In the great battle (to give only one example more) that was fought between Henry I. and the King of France at Brenneville in Normandy, A.D. 1119., a different disposition was made by Henry, who formed the first and second lines of cavalry, and the third of infantry.<sup>93</sup>

## Artillery.

Besides their lances, spears, darts, cross bows, arrows, slings, which may be called the small arms of the middle ages, they had a kind of field-artillery which they used in battle. This artillery consisted of certain machines made of wood, which, by various contrivances, and combinations of the mechanic powers, threw darts and stones with great force to a great dis-

<sup>91</sup> W. Pictayien, p.201.

<sup>92</sup> R. Hagulstad de Bello Standardi, col.322.

<sup>93</sup> J. Brompt. Chron. col. 1007.

tance. Such machines were used with success in the famous battle of Hastings, and in several other battles<sup>94</sup>. The darts that were shot from these machines, as well as from the cross bows, were called *quarrels*; and were pointed with heavy pieces of steel, shaped like pyramids, and very sharp, which made them very destructive<sup>95</sup>. This kind of artillery was more frequently used in sea-fights, than in battles on shore; and in these fights they discharged not only stones and darts, but also pots full of Greek-fire, quick-lime, and other combustible materials.<sup>96</sup>

As sea-fights have been mentioned, it may not be improper to give the following description of one that was fought in this period, between the Christian and Turkish fleets, before Ptolemais, translated from an author who was an eye-witness of what he describes: "Modern ships of war (says Geoffrey de Vinesauf) are either galleys or galliots. Galleys are long, low, and narrow, with a beam extended from the prow, which is commonly called *the spur*, with which they pierce the ships of the enemy. Galliots have only one bank of oars, are much shorter, more easily wrought, and fitter for throwing fire. When both parties prepared for battle, our men drew up their ships, not in a straight line, but bending a little like a crescent,

Sea-fights.

<sup>94</sup> W. Pictavien, p. 201.<sup>95</sup> Du Cange Gloss. voc. *Quadrillus*.<sup>96</sup> G. Vinesauf. Iter. Richardi Regis, l. 1. c. 34. Hoveden. Annal. col. 394.

“ placing the strongest ships on the points, that  
“ if the enemy attempted to break our line,  
“ they might be surrounded. The sea was per-  
“ fectly calm and smooth, as if it had been pre-  
“ pared for the occasion, that neither the rowers,  
“ nor combatants, might miss their strokes.  
“ The signal of battle was given by the sound  
“ of the trumpets on both sides, followed by  
“ dreadful shouts and showers of darts. Our  
“ men imploring the divine assistance, pleyed  
“ their oars, and pushed the spurs of their gal-  
“ leys against the ships of their enemies. Now  
“ the battle raged.—Oars are entangled with  
“ oars,—grappling-irons fix one ship to another,  
“ —the combatants engage hand to hand,—  
“ and the boards are set on fire by a flaming  
“ oil, which is commonly called *Greek-fire*. This  
“ fire hath a most fetid smell, with livid flames,  
“ and consumes even flints and iron: water  
“ makes no impression upon it; a sprinkling of  
“ sand abates it; but it can only be extinguished  
“ by vinegar. O how terrible, how cruel, is a sea-  
“ engagement! Some are tortured by fire,—  
“ some absorbed by the waves,—and others ex-  
“ pire with wounds. One of our galleys was set  
“ on fire and boarded by the Turks. The rowers  
“ plunged into the sea, to save their lives by  
“ swimming; but a few knights, who were heavy-  
“ armed, fought in despair, slew all the Turks,  
“ and brought their galley half-burnt to land.  
“ In another of our galleys, the Turks seized  
“ the upper bank of oars, while the Christians  
“ kept

" kept possession of the lower, and by their pulling different ways, it was tossed in a miserable manner. In this engagement the Turks lost one galley and one galliot, with their crews; while we came off triumphant and victorious."<sup>97</sup>

The Greek-fire, mentioned in the above description, seems to have been one of the most terrible instruments of destruction employed in military operations, before the invention of gunpowder. It was called *Greek-fire*, because it was invented by the Greeks of the Eastern empire, who, for several centuries, kept the composition of it a profound secret. In that period, the emperors of Constantinople used to send quantities of this fire to princes in friendship with them, as the most valuable present they could give them, and as the greatest mark of their favour<sup>98</sup>. But the composition of this liquid fire, as it is sometimes called, seems to have been no longer a secret in the twelfth century, as it was then used in very great quantities, not only by the Christians of all nations in the Holy Land, but also by the Turks<sup>99</sup>. It is said to have been a composition of sulphur, bitumen, and naphtha<sup>100</sup>. It had a very strong and disagreeable smell, as we may easily suppose from

<sup>97</sup> Vinesauf. Iter Richardi Regis, l. i. c. 34.

<sup>98</sup> Luethprand, l. 5. c. 4. Delmar. l. 3. p. 33.

<sup>99</sup> N. Trivet. Chron. ad ann. 1191.

<sup>100</sup> Du Cange Not. ap Joinvil. p. 71.

its ingredients ; burnt with a livid flame, and so intense a heat, that it consumed not only all soft combustible substances, but even stones and metals<sup>101</sup>. When it fell in any considerable quantity, upon a warrior, it penetrated his armour, and peeled his flesh from his bones with exquisite pain, which made it an object of great terror<sup>102</sup>. This liquid fire was kept in phials and pots, and in these was discharged from machines on the enemy<sup>103</sup>. One of its most singular properties was, that it burnt in water, which did not in the least abate its violence ; but it yielded to several other things, particularly to sand, urine, and vinegar, according to the monkish verses quoted below<sup>104</sup>. For this reason, when an army made an assault, in which they expected to be opposed by Greek-fire, they provided themselves with these things for its extinction. “ Greek-fire (says Geoffrey de Vineauf, in describing an assault) was discharged upon them from the walls of the castle and city, like lightning, and struck them with great terror ; but they endeavoured to serve themselves from it, by sand, vinegar, and other extinguishers.”<sup>105</sup>

<sup>101</sup> Vineauf. l. 1. c. 24.

<sup>102</sup> Id. l. 2. c. 14.

<sup>103</sup> Du Cange, voc. *Ignis Græcus*.

<sup>104</sup> Pereat, O Utinam, ignis hujus vena ;

Non enim extinguitur aqua, sed arena ;

Vixque vinum acidum arctat ejus fræna,

Et urina stringitur ejus vix habena.

<sup>105</sup> G. Vineauf. Historia Captionis Dàmùtæ, ch. 9.

As Britain abounded, in this period, in fortified towns and castles, much of the art of war consisted in defending and assaulting places of strength. The manner in which these fortifications were constructed hath been already described<sup>106</sup>. They were defended by discharges of the various kinds of small arms and artillery then in use, from the ramparts, and by counter-acting all the arts and efforts of the besiegers. It would be a very tedious work to enumerate all the arts and all the machines that were employed in this period in assaulting and defending places. For as the combinations of the mechanic powers in forming engines for bursting open gates, undermining, scaling, and battering walls, throwing stones, darts, and fire, and for opposing all these efforts, are almost innumerable, great scope was given to the genius and invention both of the besiegers and besieged. The consequence of this was, that there were few sieges of great importance in which some new machine was not invented. Of these machines above twenty different kinds are mentioned by the writers of this period<sup>107</sup>. But a plain description of a siege, given by a contemporary writer, will probably be more satisfactory to the reader, and give him a clearer idea of the means employed in attacking and defending places, than the most

Attack  
and de-  
fence of  
strong  
places.

<sup>106</sup> See p. 189.

<sup>107</sup> For the names and figures of some of these machines, see the Preface to Mr. Grose's *Antiquities of England*, Camden's *Remains*, p. 200.

laborious investigation of the constructions and uses of all these machines. For this purpose I have chosen the relation given by an eye-witness of the siege of the castle of Exeter by King Stephen, A.D. 1136: "The castle of Exeter is  
" built on a lofty mount, surrounded with im-  
" penetrable walls, strengthened with Cæsarean  
" towers. In this castle Baldwin de Redvers  
" placed a garrison composed of valiant youths,  
" the flower of all England, to defend it against  
" the King, to which he bound them by a solemn  
" oath, and by putting under their protection  
" his wife and children. When the King in-  
" vested the castle, they mounted the walls in  
" shining armour, and treated him and his army  
" with scorn and defiance. Sometimes they  
" sallied out from secret passages, when least  
" expected, and put many of the besiegers to  
" the sword; sometimes they poured down  
" showers of arrows, darts, and other weapons  
" on the assailants. On the other hand, the  
" King and his barons laboured with the  
" greatest ardour to distress the garrison. Hav-  
" ing formed a very strong and well-armed body  
" of foot, he assaulted the barbican, and, after a  
" fierce and bloody struggle, carried it. He  
" next beat down, with his engines, the bridge  
" of communication between the castle and the  
" town: after which he erected lofty towers of  
" wood, with wonderful art, to protect his men,  
" and enable them to return the discharges from  
" the walls. In a word, he gave the besieged  
" no

" no rest, either day or night. Sometimes his  
" men mounted on a machine supported by four  
" wheels, approached the walls, and engaged  
" hand to hand. Sometimes he drew up all the  
" slingers of the army, and threw into the castle  
" an intolerable shower of stones. Sometimes he  
" employed the most skilful miners to undermine  
" the foundations of the walls. He made use of  
" machines of many different kinds; some of  
" which were very lofty, for inspecting what they  
" were doing within the castle; and others very  
" low, for battering and beating down the walls.  
" The besieged, making a bold and masterly de-  
" fence, baffled all his machinations with the  
" most astonishing dexterity and art<sup>108</sup>. After  
this siege had lasted three months, and King  
Stephen had expended upon it, in machines,  
arms, and other things, no less than fifteen thou-  
sand marks, equal in efficacy to one hundred  
and fifty thousand pounds of our money, the  
besieged were obliged to surrender for want of  
water.<sup>109</sup>

<sup>108</sup> Gesta Regis Stephani, apud. Duchens. p. 934.

<sup>109</sup> Id. ibid.

## SECTION II.

*The history of the fine or pleasing arts of Sculpture, Painting, Poetry, and Music, in Great Britain, from A.D. 1066. to A.D. 1216.*

The pleasing arts merit attention.

**M**ANKIND, in every stage of society, have some taste and capacity for the imitative and pleasing arts; and from the indulgence of that taste, and exertion of that capacity, they derive many of their most rational enjoyments. On this account, the state of these arts is an object worthy of attention in every period of the history of our country.

**Sculpture.** Sculpture, or the art of forming the figures of men, birds, beasts, &c. in metal, stone, wood, or other materials, flourishes most under the patronage of riches and superstition, among a wealthy people addicted to idolatry. As Britain was one of the richest countries of Europe, in the period we are now delineating, and its inhabitants were much addicted to a superstitious veneration for the image of their saints, we have good reason to believe that sculpture was much cultivated and encouraged. Every church had a statue of its patron saint, while cathedrals and conventional churches were crowded with such statues<sup>1</sup>. We may form some judgment of the

<sup>1</sup> Gervasius de Combustione et Reparatione Dorobernenis Ecclesiae, col. 1294, &c.

number of these statues in conventional churches from the following account given by Matthew Paris, of those that were erected in the abbey-church of St. Alban's by one Abbot: " This " Abbot William removed the ancient statue of " the Virgin Mary, and placed it in another " part of the church, erecting a new and more " beautiful one in its room. He did the same " with respect to the ancient crucifix, which " stood aloft in the middle of the church, and " another image of the Virgin Mary, that stood " over the altar of St. Blasius, removing them " into the north side of the church, and substi- " tuting others of more excellent workmanship " in their places, for the edification and conso- " lation of all the laity who entered<sup>2</sup>. This " abbot also set up the great crucifix with its " images over the great altar<sup>3</sup>." Some of these statues, if we may believe this historian, were executed in a very masterly manner. " It must " be mentioned also, (says he) to the praise of " Abbot William, that the new statue of the " Virgin Mary, which he presented to our " church, is admirably beautiful, having been " made by Mr. Walter de Colchester, with the " most exquisite art and skill."<sup>4</sup>

Besides statues the sculptors of this period Basso and  
executed many figures, and even historical alto re-  
pieces, in basso and alto relieve, as ornaments lievo.

<sup>2</sup> M. Paris Vit. Abbat. p. 81. col. 1.

<sup>4</sup> Id. p. 81. col. 1.

<sup>3</sup> Id. p. 80. col. 1.

of churches, and objects of superstitious veneration. In the same abbey church of St. Alban's, we are told by the same historian, who was a monk of that abbey, there was a curious piece of this kind in wood, over the high altar : “ In the middle (says he) of this piece, was a representation of the Divine Majesty, with that of a Christian church and of a Jewish synagogue. On one hand was a series of figures representing the twelve patriarchs, and on the other hand another series representing the twelve apostles.” In a word, when architecture was cultivated with so much ardour, sculpture could not be neglected ; and when so many noble and magnificent churches were built, artists could not be wanting to adorn and furnish them with images, which were esteemed so essential to the worship that was to be performed in these sacred structures.

## Painting.

The art of painting was never wholly lost in any of those countries of Europe which had been provinces of the Roman empire. For though the barbarous conquerors of those countries destroyed many magnificent edifices and beautiful paintings, not a few of both escaped their ravages, and became the objects of their admiration. Some of these conquerors also, when the rage of war was at an end, discovered a taste for the fine arts, and became their patrons<sup>5</sup>.

<sup>5</sup> M. Paris Vit. Abbat. p. 81. col. 2.

<sup>6</sup> Muratori, tom. 2. p. 354.

Even the Anglo-Saxons, who were amongst the most destructive of the northern conquerors who overturned the Roman empire, did not continue long to despise the pleasing arts, particularly that of painting, which was practised by them with considerable success<sup>7</sup>. But the Norman conquest contributed not a little to the improvement of the art of painting, as well as of architecture, in Britain; for the Normans being as superstitious, and more magnificent than the Anglo-Saxons, they built more beautiful churches, and adorned them with a greater profusion of paintings. The roof, for example, of the cathedral church of Canterbury, built by Archbishop Lanfranc, was painted, if we may believe a contemporary author, in the most elegant manner<sup>8</sup>. Aldred Archbishop of York, who put the crown on the head of William the Conqueror, added much to the magnitude and beauty of the church of St. John of Beverley. “ He enlarged (says his historian) the old church, by adding a new presbytery, which he dedicated to St. John the Evangelist; and he adorned the whole roof, from the presbytery to the great tower, with the most beautiful paintings, intermixed with much gilding of gold, performed with admirable art<sup>9</sup>. ” In a word, it seems to have been the constant custom of this period, to paint the

<sup>7</sup> See vol. 4. chap. 5. p. 160.

<sup>8</sup> Gervas de Combustione & Reparatione Ecclesiae Doroberniens. col. 1294.

<sup>9</sup> T. Stubbs Act. Pontific. Ebor. col. 1704.

inner roofs or ceilings of cathedrals and conventional churches; but of what kind these paintings were, and with what degree of delicacy they were executed, we have now no means of judging, as we cannot depend very much on the taste of the monkish writers of those times, who speak of them in the highest strains of admiration. It is however highly probable, that these paintings were of the historical kind, the subjects of which were taken from the Scriptures: for Dudo of St. Quintin tells us, that Richard I. Duke of Normandy, who died A. D. 1022., painted the inside of a magnificent church, which he built at Rouen, with historical paintings.<sup>10</sup>

Portrait-painting.

Portrait-paintings appear to have been very common in this period; and it is probable that there were few kings, queens, or princes, who had not their pictures drawn. The learned Montfauçon hath published prints of four pictures at full length, representing William the Conqueror, his Queen Matilda, and their two sons Robert and William<sup>11</sup>. These pictures, which are believed by many to have been drawn from the life, were painted in fresco, on the walls of a chapel belonging to the abbey of St. Stephen at Caen, which was built A. D. 1064. They are thus described: “The Conqueror was drawn “as a very tall man, clothed in a royal robe,

<sup>10</sup> Dudo de Actis Norman. l. 3. p. 153.

<sup>11</sup> Montfauçon Monumens de la Monarchie Françoise, tom. I. plate 55. p. 402.

“ and

“ and standing on the back of an hound couch-  
“ ant : on his head was a diadem, ornamented  
“ with trifoils ; his left hand pointed to his  
“ breast, and in his right he held a sceptre sur-  
“ mounted with a fleur de lys. Queen Matilda  
“ was dressed in a kirtle and mantle ; and had  
“ on her head a diadem, similar to that of her  
“ husband ; from the under part whereof hung  
“ a veil, which was represented as falling care-  
“ lessly behind her shoulders ; in her right hand  
“ was a sceptre, surmounted with a fleur de lys,  
“ and in her left a book : her feet were sup-  
“ ported by the figure of a lion. Duke Robert  
“ was represented as standing on a hound, and  
“ clad in a tunique, over which was thrown a  
“ short robe or mantle : his head was covered  
“ with a bonnet ; upon his right hand, clothed  
“ with a glove, stood a hawk, and in his left  
“ was a lure. The picture of Duke William re-  
“ presented him as a youth, bare-headed, dressed  
“ in the same habit as his brother, and standing  
“ on a fabulous monster : the left hand of this  
“ prince was clothed with a glove, and supported  
“ a falcon, which he was feeding with his right.  
“ These paintings are supposed to have been  
“ coeval with the foundation of the abbey of  
“ St. Stephen, and to have been drawn from the  
“ life.” The learned Montfauçon says, “ That  
“ these four pictures have all the air and appear-  
“ ance of originals.”

<sup>12</sup> Doctor Ducarel's Anglo-Norman Antiquities, p. 61.

There

Remarkable like-  
nesses of  
some por-  
traits.

There is an anecdote preserved by William of Malmesbury, which seems to indicate that portrait-painting was practised in great perfection in this period. A company of banditti in Flanders, who pretended to be adherents of Guibert the anti-pope, had formed a plot to intercept and rob Anselm Archbishop of Canterbury, in his way to Rome, A. D. 1097. The Archbishop having received intelligence of their design, escaped by means of a disguise. That he might not escape in the same manner on his return, the banditti sent an excellent painter to Rome to draw his picture so exactly, that they might know him under any disguise. Of this also the Archbishop received intelligence; and was so much alarmed that he went a great way out of his road, to avoid the danger.<sup>13</sup> About the same time the pope and clergy employed the art of painting in promoting a croisade for the recovery of the Holy Land, by sending certain irritating pictures to the courts of princes, and exposing them to the view of the people. In one of these pictures, Christ was represented tied to a stake, and scourged by an Arabian, supposed to be Mahomet; and in another an Arabian was painted on horseback, with his horse staling on the holy sepulchre. These pictures, it is said, excited the indignation both of princes and people, in a very high degree, and contributed not a little to their taking the cross.<sup>14</sup>

<sup>13</sup> W. Malms. de Gestis Pontific. Angl. p. 127. col. 2.

<sup>14</sup> Abulfeda, l. 1. c. 3. Bohadin Vit. Salidini, ch. 80. p. 136.

Painting, in this period, was not confined to the use of the church, or to the portraits of great men, but was employed to various other purposes; particularly to ornamenting the apartments, furniture, shields, &c. of persons of rank and fortune. In the seventeenth of Henry III. a precept was directed to the sheriff of Hampshire, commanding him, “to cause the King’s wainscotted chamber in the castle of Winchester to be painted with the same histories and the same pictures with which it had been painted before<sup>15</sup>.” This is an authentic proof that wainscotting chambers, and painting the wainscot with historical paintings, was practised in England so long before the seventeenth of Henry III. A.D. 1233., that the paintings were so much faded or tarnished that they needed to be renewed. Peter de Blois, Archdeacon of Bath, and chaplain to Henry II., acquaints us, in one of his letters, that the great barons and military men of his time, had their shields and saddles painted with the representations of battles. In that letter he censures the vices, and particularly the ostentatious vanity, of these barons, with no little severity; and, amongst other things, says, “They carry shields into the field so richly gilded, that they present the prospect of booty rather than of danger to the enemy; and they bring them back untouched, and, as I may say, in a virgin state. They

Paintings  
of various  
kinds.

<sup>15</sup> See the Honourable Mr. Walpole’s Anecdotes of Painting, page 3.

“ also cause both their shields and saddles to be  
 “ painted with representations of battles and  
 “ equestrian combats, that they may please their  
 “ imaginations with the contemplation of scenes  
 “ in which they do not chuse to engage.”<sup>16</sup>

*Painting  
glass.*

The art of painting glass was known and practised in France, and very probably in England, in this period. Father Montfauçon hath given several plates of the paintings in the windows of the abbey of St. Dennis that were painted in the twelfth century, particularly a representation of the progress of the first croisade, in ten compartments<sup>17</sup>. This art, it is believed, was brought into England in the reign of King John.<sup>18</sup>

*Illumina-  
tions of  
books.*

There was a kind of miniature painting much practised in Britain in this period, and of which many curious specimens are still remaining. This was called *illuminating* (from which limning is derived); and was chiefly used, as we now use copper-plates, in illustrating and adorning the Bible and other books. This art was much practised by the clergy, and even by some in the highest stations in the church: “ The famous Osmund (says Brompton), who was consecrated bishop of Salisbury A.D. 1076., did not disdain to spend some part of his time in writing, binding, and illuminating books ”<sup>19</sup>. Mr.

<sup>16</sup> Opera Petri Bleſenſis, Ep. 94. p. 146, 147.

<sup>17</sup> Montfauçon Monuments, &c. tom. 1. p. 384.

<sup>18</sup> Mr. Walpole’s Anecdotes of Painting, p. 5. note.

<sup>19</sup> J. Brompt. Chron. col. 977.

Strutt hath given the public an opportunity of forming some judgment of the degree of delicacy and art with which these illuminations were executed, by publishing prints of a prodigious number of them, in his two works quoted below<sup>20</sup>. In the first of these works, we are presented with the genuine portraits, in miniature, of all the kings, and several of the queens, of England, from Edward the Confessor to Henry VII. mostly in their crowns and royal robes, together with the portraits of many other eminent persons of both sexes.

The illuminators and painters of this period seem to have been in possession of a considerable number of colouring-materials, and to have known the arts of preparing and mixing them, so as to form a great variety of colours. In the specimens of their miniature-paintings that are still extant, we perceive not only the five primary colours, but also various combinations of them. There is even some appearance that they were not ignorant of the art of painting in oil, from the following precept of Henry III., dated only twenty-three years after the conclusion of this period : “ Pay out of our treasury to Odo the goldsmith, and Edward his son, one hundred “ and seventeen shillings and ten pence, for oil, “ varnish, and colours bought, and pictures “ made, in the chamber of our queen at West-

Art of preparing colours.

<sup>20</sup> The Regal and Ecclesiastical Antiquities of England, London 1771; View of the Customs, &c. of England, 1774.

“ minster, between the octaves of the Holy Trinity, in the twenty-third year of our reign, “ and the feast of St. Barnabas the apostle, in “ the same year, which is fifteen days <sup>21</sup>. ” This was a considerable sum (equal in quantity of silver to seventeen pounds fourteen shillings of our money, and in efficacy to eighty-eight pounds) to be expended in painting one chamber in so short a time.

## Poetry.

As the Normans were more learned, and no less fond of poetry than the Anglo-Saxons, that most pleasing and delightful art, especially Latin poetry, was cultivated with no less ardour, and with greater success, in this than in the former period. On this account it may be proper to pay a little more attention to this than to any of the other arts.

## Imperfect state of the English language.

The vernacular language of England, in this period, was in such an imperfect and unsettled state, that it was hardly fit for transacting the common business of society, and very improper for the sublime and melodious strains of poetry. No sciences were taught, few letters were written, few accounts were kept, few treatises in prose, on any subject, were composed in that language <sup>22</sup>. But so strong a propensity to poetry prevailed, that a prodigious number of poems on different subjects, and in various kinds of verse, were written in that crude unformed tongue.

<sup>21</sup> Mr. Walpole's Anecdotes of Painting, vol. i. p. 6.

<sup>22</sup> See chap. 7.

Many

Many of our best poets indeed in this period, sensible of the imperfection of their native language, wrote their poems in Latin, and some in the Romance or Provençal tongue. This makes it necessary to give a very brief account, 1. of the English; 2. of the Latin; and 3. of the Provençal poetry of this period.

As many of the poets of this period were clerks and monks, many of their poems were on religious subjects. Of this kind is a translation of the Old and New Testament into English verse, supposed to have been made before the year 1200.,—a version of the psalms, made about the same time,—and a large volume of the lives of the saints<sup>23</sup>. The only specimen of these poems our limits can admit, is the following version of the hundredth psalm:

Mirthes to God al erthe that es  
 Serves to Louerd in faines.  
 In go yhe ai in his siht,  
 In gladnes that is so briht.  
 Whites that louerd god is he thus  
 He us made und our self noht us,  
 His folk and shep of his fode:  
 In gos his yhates that are gode:  
 In schrift his worches belive,  
 In ympnes to him yhe schrive.  
 Heryhes his name for Louerde is hende,  
 In all his merci do in strende and strande.<sup>24</sup>

The minstrels of those times had a set of songs of a religious cast, and on religious subjects, <sup>Sundays</sup> <sup>songs.</sup>

<sup>23</sup> Mr. Warton's History of English Poetry, p. 19. 23. 12.

<sup>24</sup> Id. ibid. p. 23.

which they sung to their harps, in the courts of kings, and in the halls of barons, on Sundays, instead of those on love and war, and such subjects, which they sung on other days. The following lines are the exordium of one of these Sunday-songs :

*The visions of Seynt Poul won he was rapt into Paradys.*

Lufsteneth lordynges leof and dere,  
Ze that wolen of the Sonday here:  
The Sonday a day hit is  
That angels and archangels join i wis,  
More in that ilke day  
Than any odur, &c.<sup>25</sup>

Hymns.

The monks and other clerical poets of this period, composed many short hymns, in various kinds of verse. The following stanza of one of these hymns may serve as a specimen. The subject of it is our Saviour's crucifixion :

I syke when y singe for forewe that y fe  
When y with wypinge bihold upon the tre,  
Ant se Jhesu the suete  
Is hert blod for lete,  
For the love of me ;  
Ys woundes waxen wete,  
Thei wepen, still and mete,  
Marie reweth me.<sup>26</sup>

Love-  
songs.

Religion was not the only subject of the English poetry of this period. Love, the favourite theme

<sup>25</sup> Mr. Warton's History of English Poetry, p. 19. note.

<sup>26</sup> Id. ibid. p. 32.

of many poets, produced its share of verses. The following little poem, in which the poet compares his mistress to a great variety of gems and flowers, may serve as a specimen of this kind of poetry, and of that alliteration which was esteemed a great beauty in this period :

Ic hot a burde in a bouri, ase beryl so bryght,  
Ase saphyr in selver semely on syght,  
Ase jaspe the gentil that lemeth with lyght,  
Ase gernet in golde and rubye wel ryht,  
Ase onycle he is only holden on hyt :  
Ase a diamand the dere in day when he is dyht :  
He is coral yend with Cayser and knyght,  
Ase emeraude a morewen this may haveth myht.  
The myht of the margaryte haveth this mai mere,  
Ffor charbocele iche hire chafe bi chyn and bi chere,  
Hire rede ys as rose that red ys on ryse,  
With lilye white leves lossum he ys,  
The primros he passeth, the penenke of prys,  
With alisaundre thareto ache and anys :  
Coynte as columbine such hire cande as,  
Glad under gore in gro and in grys  
Heo is blosme upon bleo brightest under bis  
With celydone ant fange as thou thi self sys,  
From Weye he is wisist into Wyrhale,  
Hire nome is in a note of the nyghtigale ;  
In a note is hire nome nampneth hit non  
Who so ryht redeth ronne to Johon. <sup>27</sup>

Several satirical poems appear among the remains of the English poetry of this period. <sup>Satirical poems.</sup> Some of these are general satires against monks, bishops, lawyers, physicians, and people of other

<sup>27</sup> Mr. Warton's History of English Poetry, p. 32.

professions. That part of a very curious satire against monks, in which the author lashes them for their incontinence, may serve as an example of this kind of poetry. After the satirist had described the delightful situation, magnificent fabric, and great provision of meats and drinks of an abbey, with the indolence, gluttony, and drunkenness of its monks, he proceeds thus :

An other abbai is ther bi  
 For soth a great nuhnerie ;  
 Up a river of swet milk  
 Whar is plente grete of silk.  
 When the summeris dai is hote,  
 The yung nunnes takith a bote,  
 And doth ham forth in that river  
 Both with oris and with stere :  
 Whan hi beth fur from the abbei  
 Hi makith him nakid for to plei,  
 And leith dune into the brimme  
 And doth him sleilich for to swimme :  
 The yung monkes that hi feeth  
 Hi doth ham up, and forth he fleeth,  
 And comith to the nunnes anon,  
 And euch monk him takith on,  
 And snellich berith forth har prei  
 To the mochill grei abbei,  
 And techith the nonnes an oreisun  
 With jambleus up and dun.  
 The munke that wol be staluun gode,  
 And can set a riyt his hode,  
 He schal hab withoute danger  
 xii wives each yer,  
 Al throy riyt and noyt throy grace,  
 For to do himself solace.

And

And thilk monk that clepeth best  
 And doth is likam all to rest,  
 Of him is hope, God hit wote,  
 To be fone vader abbot.<sup>28</sup>

It was far from being safe at this time to write Danger of writing satirical poems.  
 satirical verses against particular persons, especially against those in power. Henry I., A. D.

1124., condemned one Luke de Barra to have his eyes pulled out, for having written defamatory ballads against him ; and when the Earl of Flanders very warmly interceded for the unhappy poet, the King replied, “ This man, “ being a wit, a poet, and a minstrel, hath “ composed many indecent songs against me, “ and sung them openly, to the great entertainment and diversion of my enemies. Since “ it hath pleased God to deliver him into my “ hands, he shall be punished, to deter others “ from the like petulance<sup>29</sup>. ” This cruel sentence was accordingly executed on the unfortunate satirist ; who died of the wounds he received in struggling with the executioner.

But though the kings and great men of those Panegyrics.  
 times were thus impatient of satire, they were fond enough of panegyricks ; which produced poems of that kind in great abundance. The famous William Longchamp, Bishop of Ely, chancellor and chief justiciary of England, the Pope’s

<sup>28</sup> Hickesii Thesaur. tom. i. p. 132, 133. Warton’s History of English Poetry, p. ii.

<sup>29</sup> Orderic Vital. p. 880, 881.

legate, and the great favourite of Richard I. (if we may believe his brother Hugh Nunant Bishop of Chester), “ kept a number of poets in his pay, to make songs and poems in his praise; and allured the best singers and minstrels by great gifts, to come over from France, and sing these songs in the streets of the several cities of England<sup>30</sup>. ” Matilda, Queen of Henry I., was so generous, or rather so profuse a patroness of poets, that they crowded to her court from all parts to present her with their panegyrics<sup>31</sup>. So much were the muses both courted and dreaded by the great in this period!

Elegies,  
pastorals,  
&c.

Among the remains of the English poetry of the twelfth century, are several elegiac, pastoral, and descriptive poems; but for specimens of these, I must refer the reader to the very curious work quoted below, to which I have been so much indebted in this article.<sup>32</sup>

Latin  
poetry.

The unsettled state of the English language, fluctuating between the Norman spoken by one part of the people, and the Saxon, by another, was, no doubt, one reason why the Latin language was studied with so much ardour in England in this period; and that not only all our divines, philosophers, and historians, but also many of our poets, wrote in that language.

<sup>30</sup> Benedict Abbas, ad ann. 1191.

<sup>31</sup> W. Malmf. l.5. p.93. col. 1.

<sup>32</sup> Mr. Warton's History of English Poetry, p. 29, &c.

Several learned men, whom we have already mentioned for their other works, were excellent Latin poets, and in that capacity claim a little of our attention.

Henry of Huntington, the historian, was also a voluminous Latin poet, and wrote several books of epigrams and love-verses, and a poem upon herbs. This we are told by himself, in the conclusion of his curious letter on the contempt of the world :

Henry of Huntington.

Henricus tibi ferta gerens, epigrammata primum,  
Prælia mox Veneris grama deinde tuli.<sup>33</sup>

His invocation of Apollo, and the goddesses of Tempe, in the exordium of his poem on herbs, may serve as a specimen of his poetry :

Vatum magne parens, herbarum Phœbe repertor,  
Vosque, quibus resonant Tempe jocosa, Deæ!  
Si mihi ferta prius hedera florente parasitis,  
Ecce meos flores ferta parate, fero.<sup>34</sup>

The famous John of Salisbury was not only well acquainted with the best Roman poets, as appears from the numerous quotations from them in his works, but was himself no contemptible Latin poet. His poem prefixed to his book, *De nugis curialium*, is equally elegant and witty. It is an address to his book, containing many directions for its conduct ; from which

John of Salisbury.

<sup>33</sup> *Anglia Sacra*, tom. 2. p. 702.

<sup>34</sup> *Leland. de Script. Britan.* tom. 2. p. 198.

the following verses, alluding to the title of his work, may be given as a specimen :

Nusquam divertas ne quis te lædat euntem,  
 Nugarum luat garrula lingua notas.  
 Omnia, si nescis, loca sunt plenissima nugis ;  
 Quarum tota cohors est inimica tibi.  
 Ecclesia nugæ regnant, et principis aula ;  
 In clauistro regnant, pontificisque domo.  
 In nugis clerus, in nugis militis usus ;  
 In nugis juvenes, totaque turba senum.  
 Rusticus in nugis, in nugis sexus uterque ;  
 Servus et ingenuus, dives, egenus, in his.<sup>35</sup>

Eadmer,  
&c.

Eadmer, William of Malmesbury, Peter of Blois, Girald Barry, and several others of whom we have already given some account, have left proofs of their proficiency in Latin poetry, as well as in other parts of learning; but extracts from their works would swell this section beyond its due proportion. It will be more proper to take a little notice of a very few of the Latin poets of this period, who addicted themselves chiefly to poetry, and who have not yet been mentioned.

Hanvill.

John Hanvill, or Hautvill, a monk of St. Alban's, flourished towards the end of the twelfth century, and was far from being a contemptible Latin poet. His chief work was a kind of moral heroic poem, in nine books, the hero of which he calls *Architrienius*, who travelled over the world, and every where found reason to lament the follies, vices, and miseries of mankind. He

<sup>35</sup> J. Sarisburien. ad opus suum.

dedicated

dedicated this work to his great friend and patron Walter de Constanſ, who was made bishop of Lincoln A. D. 1183. A few lines from the dedication will enable the reader to form ſome idea of his ſtyle and manner :

O cujus ſtudio, quo remige navigat æſtu,  
Mundanoque mari tumedis exempta procellis,  
Lincolnniæ ſedes ! O quem non præterit æqui  
Calculus ! O cujus morum redolentia cœlum  
Spondet, et eſſe nequit virtus altissima major,  
Indivisa minor : cujus ſe nomen et aſtris  
Inſerit, et famæ lituo circumfonat orbem.<sup>36</sup>

Besides his Architrienius, he wrote a volume of Latin epigrams, epiftles, and ſmaller poems, which (as an excellent judge who perufed them declares) have conſiderable merit.<sup>37</sup>

Josephus Ifcanus (Joseph of Exeter) was the prince of Latin poets, in this period we are now examining, and wrote two heroic poems. The Trojan war was the ſubject of one of theſe poems, which conſifted of ſix books, and was dedicated to Baldwin Archbishop of Canterbury. The ſubject of the other, which was called *Antiocheis*, was the croiſade, in which his ſovereign Richard I. and his patron Archbishop Baldwin were engaged. Of the beauty and ex-cellence of the firſt of theſe poems we have an opportunity of judging, because it is ſtill extant, and hath been published<sup>38</sup>. “ The diſtioſion is

<sup>36</sup> Bulæi Hift. Universitat. Parisien. tom. 2. p. 458.

<sup>37</sup> Mr. Wharton’s Hift. of English Poetry, diſſertation 2.

<sup>38</sup> At Basil, 8vo. 1541. At Amſterdam, 4to. 1702.

“ generally

" generally pure, the periods round, and the  
 " numbers harmonious; and, on the whole,  
 " the structure of the versification approaches  
 " nearly to that of polished Latin poetry<sup>39</sup>."  
 It is hardly possible to dip into any part of this  
 poem, which consists of no fewer than three  
 thousand six hundred forty-six lines, without  
 finding passages that will justify this favourable  
 opinion of its merit; and therefore I shall  
 go no further for an example than to the exordium,  
 in which the subject is proposed with  
 great plainness and simplicity:

Iliadum lachrymas, concessaque Pergama fatis,  
 Prælia bina ducum, bis adaftam cladibus urbem,  
 In cineres, querimur: flemusque quod Herculis ira,  
 Hesiones raptus, Helenæ fuga fregeret arcem,  
 Impulerit Phrygios Danaas exciverit urbes.<sup>40</sup>

The Antiocheis is unhappily lost, except a small fragment, in which the ancient heroes of Britain are celebrated in a strain not unworthy of the Mantuan bard. Of the famous Prince Arthur our poet sings thus:

Hinc, celebri fato, felici floruit ortu,  
 Flos regum Arthurus \* \* \* \* \*  
 \* \* \* \* \* \* \* \* \*  
 \* \* \* \* Quemcunque priorum  
 Inspice: Pellæum commendat fama tyrannum,  
 Pagina Cæsareos loquitor Romana triumphos:

<sup>39</sup> Mr. Wharton's Hist. Eng. Poet. dissertat. 2.

<sup>40</sup> Josephi Iscani de Bello Trojana, Libri Sex, cum notis Dresenii, Amstelæd. 1702.

Alciden domitis attolit gloria monstros;  
 Sed nec pinetum coryli, nec sydera solem  
 Aequant. Annales Graios Latiosque revolve,  
 Prisca parem nescit, aequalem postera nullum  
 Exhibitura dies. Reges supereminet omnes:  
 Solus præteritis melior, majorque futuris.<sup>41</sup>

Alexander Necham was another elegant Latin poet, who flourished in England at the same time with Joseph of Exeter. He was born and educated at St. Alban's, as appears from the following verses, which may serve also as a specimen of his poetry :

Alexander  
Necham.

\* \* \* \* \* Claustrum  
 Martyris Albani sit tibi tuta quies.  
 Hic locus ætatis nostræ primordia novit,  
 Annos felices, lætitiaeque dies.  
 Hic locus ingenuis puerilis imbuuit annos  
 Artibus, et nostræ laudis origo fuit.  
 Hic locus insignes magnosque creavit alumnos,  
 Felix eximio martyre, gente situ.  
 Militat hic Christo, noctuque dieque labori  
 Indulgit sancto religiosa cohors.<sup>42</sup>

Walter Mapes, the jovial and witty Arch-deacon of Oxford, and chaplain to Henry II., was a good Latin poet, and a voluminous writer. His poems were chiefly of a satirical or festive strain, and in the rhyming kind of verses, commonly called *Leonine*, which were much used by the minor poets of those times. Three stanzas from his satire on Pope Innocent, for prohibiting

Walter  
Mapes.

<sup>41</sup> Camden's Remains, p. 314. Warton. Hist. Poet. dissertat. 2.

<sup>42</sup> Id. ibid.

the marriage of the clergy, will give us some idea of his satirical vein ; and his famous ode on drinking, will be a sufficient specimen of his festive lays :

O quam dolor anxius, quam tormentum grave,  
 Nobis est dimittere quoniam est suave !  
 O Romane pontifex, statuisti prave,  
 Ne in tanto crimine moriaris cave.  
 Non est Innocentius, immo nocens vere,  
 Qui quod factò docuit, studet abolere :  
 Et quod olim juvenis voluit habere,  
 Modo vetus pontifex studet prohibere.  
 Ecce jam pro clericis multum allegavi,  
 Necnon pro presbyteris plura comprobavi.  
*Pater noster* nunc pro me, quoniam peccavi,  
 Dicat quisque presbyter, cum sua suavi.<sup>43</sup>

*Ode on Drinking.*

Mihi est propositum in taberna mori,  
 Vinum sit oppositum morientis ori :  
 Ut dicant, cum venerint, angelorum chori,  
 Deus sit propitius huic potatori.  
 Poculis accenditur animi lucerna.  
 Cor imbutum nectare volat ad superna ;  
 Mihi sapit dulcissimum vinum in taberna,  
 Quam quod aqua miscuit præfulsis pincerna.  
 Suum cuique proprium dat natura munus,  
 Ego nunquam potui scribere jejonus ;  
 Me jejunum vincere possit puer unus ;  
 Sitim et jejunium ode tanquam funus.  
 Unicuique proprium dat natura bonum,  
 Ego versus faciens, vinum bibo bonum,  
 Et quod habent melius dolia cauponum,  
 Tale vinum generat copiam sermonum.

<sup>43</sup> Camden's Remains, p. 334, 335.

Tales versus facio, quale vinum bibo,  
 Nihil possum scribere, nisi sumpto cibo;  
 Nihil valet penitus, quod jejonus scribo,  
 Nasonem post calices carmine præibo.  
 Mihi nunquam spiritus prophetæ datur  
 Nisi tunc cum fuerit venter bene satur;  
 Cum in aere cerebri Bacchus dominatur,  
 In me Phœbus irruit, ac miranda fatur.<sup>44</sup>

Among the English monks of this period, there were many smart satirical epigrammatists; a considerable number of their epigrams, which are far from being contemptible, are still preserved. Our limits will only allow us to admit one of Godfrey's, who was Prior of Winchester A.D. 1100., on an abbot who protected his monks from others, but oppressed them himself:

Tollit ovem de fauce lupi persæpe molossus  
 Ereptamque lupo ventre recondit ovem.  
 Tu quoque Sceva tuos prædone tueris ab omni,  
 Unus prædo tamen perdis ubique tuos.<sup>45</sup>

Latin elegies and epitaphs were written upon almost all the kings, princes, prelates, and other eminent persons who died in England in this period; and not a few of these performances approach to classical purity of diction<sup>46</sup>. In a word, every kind of Latin poetry was cultivated by the clergy and monks of the twelfth century, with a degree of success that will hardly be credited by those who are not acquainted with their writings.

<sup>44</sup> Camden's Remains, p. 332, 333.

<sup>45</sup> Id. p. 325.

<sup>46</sup> Oderic. Vital. passim. Camden's Remains, p. 321. &c. 360. &c.

Romance  
language  
and poetry.

The language which the Normans brought with them into England, was that which was called *lingua Romana*, or the Romance language, which was the vulgar tongue of all the provinces of France in the eleventh and twelfth centuries<sup>47</sup>. In this language the Normans had already composed many poems and songs, one of which was sung by the champion Taillifer, at the head of the Norman army, before the battle of Hastings, as we learn from the following lines of Master Wace, an Anglo-Norman poet of this period:<sup>48</sup>

Taillifer, qui moult bien chantoit,  
Sur un cheval qui tost alloit,  
Devant eus alloit chantant  
De l'Allemaigne et de Rollant,  
Et d'Oliyer, et de Vassaux,  
Que moururent a Rainscheaux.<sup>49</sup>

It was in this *lingua Romana*, or Romance tongue, (the daughter of the Latin, and mother of the French) that many metrical romances were composed by the French and Normans of the eleventh and twelfth centuries: and it was from the language in which they were written, rather than from the extravagant fables which they commonly contained, that these poems were called Romances<sup>50</sup>. In the exordium of a metrical life of Tobiah, written by a monk at the desire of the Abbot of Kenelworth, the language

<sup>47</sup> See chap. 7.

<sup>48</sup> W. Malmf. l. 3. p. 57. col. 1.

<sup>49</sup> Histoire Litteraire de la France, tom. 7. Advertissement, p. 73.

<sup>50</sup> Id. ibid. Du Cange Gloss. voc. *Romances*, l. 5. p. 1489.

in which it is composed is called the *Roman* or *Romance*:

Le prior Gwilleyme me prie,  
 De l'eglyse feynte Marie  
 De Kenelworth an Ardenne,  
 Ki porte le plus haute peyne  
 De charite, ke nul eglyse  
 Del reaume a devyse  
 Ke jeo liz en romaunz le vie  
 De kelui ki ont nun Tobie, &c.<sup>51</sup>

Some of the French and Norman poets of this *Romances*. period pretended, at least, that their poems were true histories, though they gave them the title of Romances, on account of the language in which they were written. Of this kind was the long historical poem of Maister Robert Wace, chaplain to Henry II., which is sometimes called *Roman de Rois d'Angleterre*, and sometimes *Roman le Rou, et les vies des Ducs de Normandie*<sup>52</sup>. Robert de Brunne, in the prologue to his translation of one of these metrical historical poems, written by an Anglo-Norman, says the language of his original was called Romance:

Frankis spech is cald Romance,  
 So fais clerkes and men of France.  
 Pers of Langtoft, a chanon  
 Schaven in the house of Bridlyngton  
 On Frankis style this storie he wrote  
 Of Inglis kings, &c.<sup>53</sup>

Many of these poems, which were originally written in Romance, because it was the language

<sup>51</sup> Warton's Hist. Poet. p. 85.

<sup>52</sup> Id. p. 62, 63.

<sup>53</sup> Id. p. 66.

of their authors, and of the court and nobility, to whom they were addressed, were soon after translated into the English of those times, for the entertainment of the native English, who were called *lewed*, *i. e.* ignorant men. This is the motive assigned by Robert de Brunne for his translating one of these poems :

For lewed men I undyrtoke,  
In Englyshe tongue to make this boke :  
For many beyn of such manere  
That talys and rymys wyle bleithy here.<sup>53</sup>

*Provençal poetry.*

The Provençal poets were very famous in the twelfth and thirteenth centuries, not only in their own, but in several neighbouring countries. They were called *Troubadours*, or *Finders*, from the fertility of their invention ; and were in reality the fathers of modern poetry. No poets were ever more loved, admired, and cherished, than these Provençal bards. They were invited to the courts of the greatest princes, where they became the delight of the brave, and the favourites of the fair, by celebrating the achievements of the one, and the charms of the other, in their poems. In a word, the admiration which they acquired was so flattering, that several sovereign princes became Troubadours, and wrote poems in the Provençal language, which was then the most perfect of all the modern languages of Europe<sup>54</sup>. Richard I. of England was one of

<sup>53</sup> Warton's Hist. Poet. p. 59.

<sup>54</sup> Histoire Littéraire des Troubadours, à Paris, 1774.

these royal songsters ; some of whose poems, in the Provençal tongue, are still extant ; and one of them hath been published in the very curious work quoted below <sup>55</sup>. The first stanza of that poem, which was composed in prison in Germany, with a translation, is all the specimen of this kind of poetry that our limits will admit :

Ja nus hom pris non dira fa raison,  
Adreitament se com hom dolent non :  
Ma per conort pot il faire chanfon.  
Pro a d'amis, mas poure son li don.  
Ontai i auron se por ma reezon,  
Sois fait dos yver pris. <sup>56</sup>

No prisoner his condition can explain,  
But he will fall into a plaintive strain.  
Yet to divert his sorrows he may sing,  
Though he have friends, how poor the gifts they bring !  
Shame be on them ! my ransom they deny,  
And I in prison two long winters lie.

In times when poetry was so much cultivated, *Musc.*  
we may be certain, that music could not be neglected, especially when we consider, that the union between these two arts was much greater in those times than it is at present. For in the middle ages, almost all the poets of France and England, like the ancient bards of Gaul and Britain, were musicians, and sung their verses to the music of their harps <sup>57</sup>. These poetical musi-

<sup>55</sup> A Catalogue of the Royal and Noble Authors of England, vol. I. p. 6.

<sup>56</sup> Histoire de Traubodours, tom. I. p. 59.

<sup>57</sup> See Dr. Percy's curious Preface to his Reliques of Antient English Poetry.

cians, commonly called *minstrels*, were the delight of princes, prelates, and barons, who entertained them in their courts and castles, and lavished upon them much of their wealth<sup>58</sup>. Matilda, queen of Henry I., was so fond of music, and so profusely generous to musicians and poets, that she expended almost all her revenues upon them, and even oppressed her tenants, in order to procure money to reward them for their songs<sup>59</sup>. John of Salisbury censures the great people of his time, for imitating Nero in his extravagant fondness for musicians; and says that “they prostituted their favour, “ by bestowing it on minstrels and buffoons; “ and that, by a certain foolish and shameful “ munificence, they expended immense sums of “ money on their frivolous exhibitions<sup>60</sup>.” “ The “ courts of princes (says another contemporary “ writer) are filled with crowds of minstrels, “ who extort from them gold, silver, horses, “ and vestments, by their flattering songs. I “ have known some princes who have bestowed “ on these ministers of the devil, at the very “ first word, the most curious garments, beau- “ tifully embroidered with flowers and pictures, “ which had cost them twenty or thirty marks “ of silver, and which they had not worn above “ seven days<sup>61</sup>.” An art that was so highly

<sup>58</sup> M. Paris, p. 114. col. 1.

<sup>59</sup> W. Malms. p. 93. col. 1.

<sup>60</sup> J. Sarisburien. Policrat. 1.1. c. 8. p. 32.

<sup>61</sup> Rigordus ad an. 1185.

honoured,

honoured, and so liberally rewarded, could not fail to flourish.

Both the vocal and instrumental music of this period was of three kinds, viz. sacred, civil, and martial. Of the last, enough hath been already said<sup>62</sup>. Of the state of the other two it may be proper to give a very brief account.

Sacred or church music was cultivated with great ardour by the British clergy of all ranks in this period, both because it attracted the people to the church, and because it rendered the performance of the public service more agreeable to themselves. The Anglo-Norman clergy, in particular, applied with much diligence and success to this delightful art: of which it may not be improper to give one example, out of many that might be given. Thomas, the first Norman archbishop of York, who was advanced to that see by William the Conqueror, A.D. 1070., was one of the most pious and learned prelates of the age in which he flourished<sup>63</sup>. Having a fine voice, and a great taste for music, he made that art his particular study, and attained to great perfection in it, both in theory and practice<sup>64</sup>. He composed many pieces of music for the use of his cathedral, in a grave, solemn, manly style, avoiding all light effeminate airs, as unsuitable to the nature of religious worship. When he heard any of the secular minstrels sing a tune

<sup>62</sup> See p. 208.

<sup>63</sup> T. Stubbs de Pontific. Ebor. col. 1705.

<sup>64</sup> W. Malmf. de Gestis Pontific. Angl. p. 155. col. 2.

which pleased him, he adopted and formed it for the use of the church, by some necessary variations<sup>65</sup>. “There was nothing (says one of his historians) which Archbishop Thomas studied so much as to have a good and virtuous clergy in his cathedral. With them he sometimes read, sometimes disputed, sometimes sung, or played upon the organ: he even spent some of his leisure hours in making organs, and in teaching his clergy to make them, and to set hymns both in prose and verse to music<sup>66</sup>.” When so great and learned a prelate employed so much of his time in the study and practice of church-music, and was so highly commended for it, we have reason to think that it was an object of great and general attention among the clergy.

The gamut invented.

The invention of the new musical scale, or modern gamut, by an Italian monk named *Guido Aretine*, a native of Arezzo, about A. D. 1022., contributed not a little to increase the ardour of the clergy in their application to music, by facilitating the acquisition of musical knowledge. This invention made a mighty noise in the church at that time. The author of it was sent for thrice to Rome, to explain and teach it to the clergy of that city<sup>67</sup>. Aretine, in a letter to the Pope, affirms, that any person, by the help,

<sup>65</sup> W. Malmf. de Gestis Pontific. Angl. p. 155. col. 2.

<sup>66</sup> Stubbs de Pontific. Ebor. col. 1709.

<sup>67</sup> See Bayle's Dictionary, article *Guido Aretine*.

of his invention, may make as great proficiency in music in one year, as before he could have made in ten. He insinuates to His Holiness, that he had been inspired by Heaven with this happy thought, which had atoned for all his sins, and secured the salvation of his soul<sup>68</sup>. There is no room to doubt that this invention was well known to Archbishop Thomas, who had spent some time at Rome soon after his elevation to the see of York, and that it was by this scale that he and the other English composers of this period regulated their musical compositions.

The church music of Britain did not continue long in the grave and solemn style. Before the end of the twelfth century it had lost the primitive simplicity of plain song, and become soft, effeminate, and artificial, in a very high degree. Of this change in the church-music of his time, John of Salisbury thus complains: " This soft effeminate kind of music hath even debased the dignity, and stained the purity of religious worship. For in the very presence of God, and in the centre of his sanctuary, the fingers endeavour to melt the hearts of the admiring multitude with their effeminate notes and quavers, and with a certain wanton luxuriancy of voice. When you hear the soft and sweet modulations of the choiristers; some leading, others following; some singing high, others low; some falling in, others replying; you

Corruption  
of church-  
music.

<sup>68</sup> Baron. Annal. ad ann. 1022.

" imagine

“ imagine you hear a concert of sirens, and not  
 “ of men; and admire the wonderful flexibility  
 “ of their voices, which cannot be equalled by  
 “ the nightingale, the parrot, or any other crea-  
 “ ture, if there be any other more musical.  
 “ Such is their facility in rising and falling, in  
 “ quavering, shaking, and trilling, in blending  
 “ and tempering all the different kinds of sounds,  
 “ that the ear loses its capacity of distinguishing,  
 “ and the mind, overpowered with so much  
 “ sweetness, cannot judge of the merit of what  
 “ it hears. When they have thus far departed  
 “ from the bounds of moderation, they are more  
 “ apt to excite unhallowed passions than devout  
 “ affections in the hearts of men<sup>69</sup>. ” Though  
 this music was certainly very much misplaced  
 when it was introduced into the church; yet if  
 it really answered the descripton which is here  
 given of it, we cannot entertain a very contemp-  
 tible opinion, either of the skill of the composers,  
 or of the ability of the performers.

Civil  
music.

By civil music is to be understood that which  
 was in common use in civil society, for alleviat-  
 ing the cares and labours of the poor, and exhi-  
 larating the festivities of the rich. The min-  
 strels, a very numerous and much-respected  
 order of men, were the professors and practi-  
 tioners of this pleasing art, from their excellence  
 in which they derived all their honours and ad-  
 vantages. Not being under the same restraint

<sup>69</sup> Sarisburie. Policrat. l. 1. c. 6. p. 28, 29.

with the composers for the church, they indulged their imaginations, and invented tunes of many different kinds from the most slow and solemn, to the most quick and joyous.

In general, as we are told by Giraldus Cambrensis, the genius of the English music was slow and grave, while that of the Scotch, Irish, and Welsh music, was quick and gay<sup>70</sup>. The same writer expresses great surprise at the masterly execution of these three last nations on the harp : " It is wonderful, that in such quick and rapid motions of the fingers any musical proportion is preserved, and that without violating any of the rules of art, the music is rendered harmonious, in the midst of warbling and intricate modulations, by sounds, rapid yet sweet, unequal yet proportioned, discordant yet consonant, and the harmony is completed, whether they play upon fourth or fifths. They always begin upon B flat, and return upon the same, which makes the whole uniformly sweet and sonorous. They begin and end their modulations with so much delicacy, and intermix the sounds of the bass strings, with the wanton and sportive tinklings of the treble, in such a manner that by the excellency of their art, they even conceal their art. Hence it is that those who are intimately acquainted with the theory of music are penetrated and transported with delight, while those who are

Genius of  
the music  
of the dif-  
ferent  
British  
nations.

<sup>70</sup> G. Cambrensi. Topograph. Hibern. l.3. c.2. p.739.

" ignorant

“ ignorant of the rules of art are apt to be teased  
 “ and wearied with what appears to them a  
 “ confused and noisy jumble of discordant  
 “ sounds.”<sup>71</sup>

Counter-  
point.

From the account which is given by the same writer, of the manner in which the people of Wales, and of the north of England, sung their songs, it seems to be very evident that they were not unacquainted with the laws, or at least with the practice, of harmony, or counter-point : “ In Wales (says he) they do not sing in one uniform musical modulation; as in other places, but in several different tones or modulations, in so much that in a company of singers you hear almost as many different parts as there are voices, all forming one pleasing delightful harmony in B flat. The English also, in the country about York, and beyond the Humber, use a similar symphonious harmony in singing, consisting only of two parts, the one, the deep murmuring bass, the other, the high and sweet-sounding treble.”<sup>72</sup>

Musical  
instruments.

The chief, if not the only instrument that was used in sacred music, was the organ. We have already heard of a great and learned prelate, and his clergy, who spent some part of their time in making these instruments, which indicates that they were esteemed necessary at least in cathedral churches. The figures of two organs, of this

<sup>71</sup> J. Sarisburien. Policrat. l. i. c. 6. p. 28, 29.

<sup>72</sup> G. Cambrensi. Descript. Camb. c. 13. p. 890.

period,

period, differing considerably in their structure from one another, and from those now in use, may be seen in the work quoted below<sup>73</sup>. In civil music, if we may believe Giraldus Cambrensis, the Scots, Irish, and Welsh, used but few instruments : “ The Irish (says that author) use only two musical instruments, the harp and the timbrel ; the Scots use three, the harp, the timbrel, and the bag-pipe ; the Welsh also use three, the harp, the pib-corn, and the bag-pipe. The Irish harps have brass strings. It is the opinion of many, that the Scotch music at present not only equals, but even very much excels the Irish ; for which reason they go to Scotland as to the fountain-head of perfection in that art<sup>74</sup>.” The English seem to have been acquainted with a greater variety of musical instruments, some of which, it is probable, were introduced by the Normans. The violin is mentioned in books written in this period, and represented in illuminations<sup>75</sup>. Some of their violins had five strings. Mr. Strutt hath collected from illuminations, the figures of no fewer than sixteen different kinds of musical instruments, if some of the figures do not represent different sizes of the same instru-

<sup>73</sup> Mr. Strutt's View of the Manners, &c. vol. 1. plate 33. fig. 12. vol. 2. plate 6. fig. 27.

<sup>74</sup> Girald. Cambren. Topograph. Hibern. l. 3. c. 11. p. 739.

<sup>75</sup> Du Cange Gloss. Voc. *Vitula*. Vita eft Thomae Cant. p. 24. Mr. Strutt's View of the Manners, vol. 1. plate 33. fig. 7. vol. 2. plate 1. fig. 9.

ment.

ment<sup>76</sup>. The harp, however, seems to have been the favourite and most admired instrument of the English, as well as of the other British nations in this period. That was the instrument to the sound of which the minstrels, the admired musicians of this period, sung their songs and poems.<sup>77</sup>

<sup>76</sup> Mr. Strutt's View of the Manners, vol. 2, plate 6.

<sup>77</sup> See Dr. Percy's excellent Essay on the ancient English Minstrels,

being ready salmons; gins and barrels full of salmon; two  
quods but one so welle said no manne shal  
marke you and no manne shall knowe where you  
cometh from or whither you goe. THE  
HISTOR Y  
OF  
G R E A T B R I T A I N .

## G R E A T B R I T A I N .

### BOOK III.

#### CHAP. VI.

*The History of Commerce, Coin and Shipping, in Great Britain, from the landing of William Duke of Normandy, A.D. 1066., to the death of King John, A.D. 1216.*

NO apology is necessary for introducing the history of Commerce into the history of Britain, which hath derived so many advantages from that source. But it is much to be regretted, that genuine authentic materials, for executing this part of my plan in this period, to the entire satisfaction of the reader, are very difficult, if not impossible, to be collected. All our

History  
of com-  
merce im-  
perfect.

our ancient historians being monks, they paid little attention to the affairs of trade, and dropped only a few incidental hints on this important subject. Let us attend to the information which these hints convey.

Commerce  
not incon-  
siderable at  
the con-  
quest.

It hath been already observed,—that the foreign trade of Britain was almost annihilated by the departure of the Romans,—that it continued in a very languid state in the times of the heptarchy,—that it gradually revived after the establishment of the English monarchy,—and that towards the end of the last period it was not inconsiderable<sup>1</sup>. This last circumstance is confirmed by the testimony of a contemporary historian, William of Poictou, who was chaplain to the Duke of Normandy, and attended him in his expedition into England. “The English merchants add to the opulence of their country, rich in its own fertility, still greater riches, and more valuable treasures, by importation. These imported treasures, which were considerable both for their quantity and quality, were either to have been hoarded up to gratify their avarice, or to have been dissipated to satisfy their luxurious inclinations. But William seized them, and bestowed part of them on his victorious army, and part of them on churches and monasteries. To the Pope and church of Rome he sent an incredible mass of money in gold and silver,

<sup>1</sup> See vol. 4. chap. 6.

"and many ornaments that would have been admired even at Constantinople."<sup>2</sup>

It hath been disputed, whether the Norman conquest was an event favourable or unfavourable to the foreign commerce of Britain. The truth seems to be, that in some respects it was, and in others it was not favourable. Every violent revolution must give a temporary check to commerce, by fixing the attention of all the members of society on other objects, and by rendering property precarious. The feudal form of government that was established in England soon after the conquest, had more of a martial than of a mercantile spirit in it; and was better calculated for defending a kingdom by arms, than for enriching it by commerce. The Conqueror himself having obtained his crown, and the great Norman barons their princely fortunes, by the sword, arms became the most honourable and lucrative profession; trade was held in little estimation, and those who were engaged in it, were exposed to many injuries. Many of the chief towns in England, the greatest seats of trade, suffered much between the conquest, and the time when Doomsday-book was composed<sup>3</sup>. In all these respects the conquest was unfriendly to commerce, and obstructed its progress for some time.

But, on the other hand, the conquest contributed to increase the trade of England, in <sup>In other respects favourable.</sup> se-

<sup>2</sup> W. Pictaven. Gest. Gul. Ducis Norman. p. 206.

<sup>3</sup> See Brady on Burghs.

veral ways, after the disorder inseparable from such revolutions was at an end. It opened a free communication with Normandy, and afterwards with several other rich provinces of France, which came under the dominion of our Anglo-Norman kings; and this soon produced a brisk and constant trade between England and these provinces. It made also a very great addition both to the ships and sailors of England, which are the chief instruments of foreign trade. For William was so far from burning the fleet in which he brought his army into England, as some modern writers have affirmed, that his first care was to erect fortifications for its protection<sup>4</sup>. The frequent expeditions of the Conqueror and his successors to the continent, obliged them to give constant attention to trade and maritime affairs. The settlement of the Jews in England about the time of the conquest, brought great sums of money into the kingdom, and contributed to increase both its internal and foreign commerce, in which they were constantly employed.<sup>5</sup>

*Internal  
trade.*

It is quite unnecessary to spend any time in delineating the internal trade of Britain in this period, as there was little or nothing remarkable in the manner in which it was conducted. Fairs and markets, which are the principal scenes of internal commerce, continued to be held in many places on Sundays<sup>6</sup>, in spite of all the ca-

<sup>4</sup> W. Pictaven. p. 199.

<sup>6</sup> See vol. 4. p. 264.

<sup>5</sup> Anglia Judaica.

nons that had been made against it. This was one of the abuses which the famous preacher Eustace, Abbot of Flay in Normandy, came over into England to correct, A. D. 1200.; and he was so successful, that he prevailed upon the people of London, and of several other towns, not to hold their markets on Sundays<sup>7</sup>. But we are informed by one of our best historians, that some of these towns soon after returned to their former practices.<sup>8</sup>

To prevent any degree of obscurity or confusion in our delineation of the foreign trade of Britain in this period, it may be proper to consider the following particulars in the order in which they are here mentioned. 1. The chief seats of trade; — 2. The most valuable articles of its exports and imports; — 3. The persons by whom it was conducted; — 4. Laws and regulations respecting trade; — 5. Shipping; — 6. Coin; — 7. The comparative value of money, prices of commodities, and expence of living; — 8. The balance of trade.

London was unquestionably the chief seat of trade in this, as it had been in the former period. Situated on the noble river Thames, at no great distance from the sea, amidst the most fertile plains of this island, it enjoyed every advantage for importing the commodities of other countries, and exporting those of Britain in return. These advantages were not neglected by

Plan of  
this chap-  
ter.

Chief seats  
of trade.  
London.

<sup>7</sup> R. Hoveden, p. 457. col. 2.

<sup>8</sup> M. Paris, ad ann. 1200.

its citizens, who were much addicted to trade, and acquired so much wealth and influence by it, that they were called *barons*, and respected in the public assemblies of the kingdom, as possessing a kind of nobility<sup>9</sup>. “London (says “William of Malmesbury) is but about twenty-five miles distant from Rochester. It is a “noble city, renowned for the riches of its “citizens, and crowded with merchants, who “come from all countries, and particularly “from Germany, with their merchandise<sup>10</sup>. “In this city, (says William Fitz-Stephen, in “his description of London,) merchants from “all nations under heaven reside, for the sake “of trade<sup>11</sup>. The great multitude of Jews who resided in London, and possessed several entire streets, afford a further proof of the flourishing state of trade in that city, in this period<sup>12</sup>. For trade was almost the only occupation of that people; and they never settled in great numbers in any place, but where they either found or brought commerce.

## Bristol.

As Bristol had been a place of considerable trade in the Anglo-Saxon times<sup>13</sup>, it continued to be so in the present period. This we learn from William of Malmesbury, in his description of the vale of Gloucester. “In the same vale, “is a very famous town named Bristow, in which

<sup>9</sup> W. Malmf. Hist. Novel. l.2. p.106. col.1.

<sup>10</sup> W. Malmsf. de Pontific. Angl. l.2. p.133. p.2.

<sup>11</sup> W. Stephaned. in Vita T. Cant. Lond. edit. 1723. p.6.

<sup>12</sup> Stow's Survey, b.3. p.54.

<sup>13</sup> See vol. 4. p.238.

“there

“ there is a sea-port, a safe receptacle for ships  
 “ from Ireland, Norway, and other foreign coun-  
 “ tries ; that this happy region, which abounds  
 “ so much in its native riches, might not be de-  
 “ stitute of the commodities procured by com-  
 “ merce ”.<sup>14</sup> The trade between England and  
 Ireland, which was for the most part carried on  
 by the merchants of Bristol, was so great and  
 so essential to the support of the Irish, that when  
 it was interrupted, they were reduced to great  
 distress. “ Murcard, monarch of Ireland, be-  
 “ haved a little haughtily towards Henry I.  
 “ I know not for what reason ; but he was soon  
 “ humbled by a prohibition of all trade between  
 “ England and his dominions. For how wretched  
 “ would Ireland be if no goods were imported  
 “ into it from England.”<sup>15</sup>

The Flemings, who were settled in the fine Ross.  
 country of Ross in Pembroke-shire by Henry I.  
 were bold adventurous sailors, and much ad-  
 dicted to commerce. “ They are (says Giraldus  
 “ Cambrensis) a people much used to the woollen  
 “ manufacture, and to foreign trade ; and in  
 “ order to increase their store, they spare no  
 “ pains either by sea or land ”.<sup>16</sup> The vicinity  
 of the spacious harbour of Milford-haven was  
 probably a great advantage to this industrious  
 colony.

<sup>14</sup> W. Malms. de Pontific. Engl. l.4. p.161.

<sup>15</sup> Id. l.5. p.91.

<sup>16</sup> Girald. Cambren. Itin. Camb. p.848.

Exeter.

The city of Exeter appears to have been a place of considerable trade at the conquest, and continued to enjoy that advantage through the whole of this period. When it was besieged by the Conqueror, A. D. 1068., the inhabitants compelled a great number of foreign merchants and mariners, who were then in their harbour, to assist them in their defence<sup>17</sup>. William of Malmesbury acquaints us, that, in his time, though the soil about Exeter was so barren that it hardly produced a meagre crop of oats, yet its extensive trade made it abound in every thing that contributed to the comfort of human life.<sup>18</sup>

Cinque  
ports.

The five towns on the coasts of Kent and Sussex, commonly called the *cinque ports*, were certainly among the most considerable seats of foreign commerce in England, in this period. Their merchants, like those of London, enjoyed the honourable appellation of barons, which their representatives in parliament still enjoy<sup>19</sup>. Government depended very much upon them for a fleet on any emergency; and they were obliged to furnish no fewer than fifty-seven ships for the public service, at forty days notice, to continue fifteen days in that service, with their crews, at their own charges<sup>20</sup>. This is a sufficient proof that they abounded in shipping and sailors, which they could not have done without

<sup>17</sup> Orderic Vital. p. 510.<sup>18</sup> W. Malmf. Pontific. Angl. l. 2. p. 145. col. 2.<sup>19</sup> Spelman. Gloff. p. 71.<sup>20</sup> Liber Rub. Scaccarii.

a flourish-

a flourishing trade. The five towns which originally formed the cinque-ports, were Hastings in Sussex, Dover, Hythe, Romney, and Sandwich in Kent; to which were added Winchelsea and Rye as principals, and some other towns as members, though they still retained the name of the cinque-ports from their original number<sup>21</sup>. We may form some idea of the comparative trade of these towns, by observing the number of ships which each was obliged to furnish. Hastings (with its members) was obliged to furnish twenty-one ships;—Romney (with its members) five;—Hythe and Sandwich (with their members) each five;—and Dover (with its members) twenty one<sup>22</sup>. For this important service to the state, the people of the cinque-ports had various honours and privileges conferred upon them. Their merchants were not only styled barons, but four of these barons had a title to support the canopy over the king on the day of his coronation, and to dine at a table on his right hand. The inhabitants of these towns were exempted from the several feudal servitudes and prestations, and could be sued only in their own court<sup>23</sup>. These honours and privileges afford a proof, that the government of England, in this period, was not inattentive to the encouragement of trade and shipping.

<sup>21</sup> Camden Britan. vol. I. p. 254.

<sup>22</sup> Hakluyt's Voyages, vol. I. p. 19.

<sup>23</sup> Camb. Britan. vol. I. p. 254.

Norwich,  
Yarmouth,  
Lynn.

When Bishop Herebert, in the reign of William Rufus, removed the seat of his see from Thetford to Norwich, that town, as we are told by William of Malmesbury, was famous for the number of its inhabitants and the greatness of its commerce<sup>24</sup>. In the same county, the town of Yarmouth abounded in ships, and was a formidable rival in power and commerce to the cinque-ports, though both its commerce and its shipping increased very much in the succeeding period<sup>25</sup>. The town of Lynn seems to have possessed a still greater share of foreign trade than Yarmouth, if we may rely on the testimony of William of Newborough, who resided at no great distance. That author tells us, that in the reign of Richard I. the town of Lynn was famous for its riches and commerce, and was inhabited by many wealthy Jews; who, being enraged against one of their nation who had embraced Christianity, attempted to kill him, and assaulted a church in which he had taken shelter. This raised a tumult. A great multitude of foreign sailors who were in the harbour, attacked the Jews, and beat them from the church with some slaughter. Not contented with this, they plundered and then burnt several of their houses, and having carried the plunder, which was of great value, on board their ships, they imme-

<sup>24</sup> W. Malmf. Pontific. Angl. p. 136.

<sup>25</sup> Camb. Britan. vol. I. p. 379.

diately

diately set sail, in order to secure their booty, and escape punishment.<sup>26</sup>

Several places in Lincolnshire had a considerable share of trade, in this period, which some of them have since lost, by the choking of their harbours, and other accidents. Lincoln, the capital of the county, was a rich and populous city; and, though at a distance from the sea, was not destitute of foreign trade, which was carried on by the navigable canal between the rivers Trent and Witham, made A.D. 1121., by order of Henry I.<sup>27</sup> The towns of Grimsby, Saltfleet, Waynfleet, and Boston, though they had much declined from what they had been in this period, sent some ships to the fleet of Edward III., A.D. 1359.<sup>28</sup> Boston, in particular, was a very rich and flourishing place before it was plundered and burnt in the reign of Edward I.<sup>29</sup> The great numbers and riches of the Jews who resided at Lincoln, Stamford, and other towns in this county, plainly indicate that there was then a flourishing trade in those towns.<sup>30</sup>

York, the northern capital of England, and residence of Roman emperors, made a distinguished figure in the Anglo-Saxon times, but was much reduced soon after the conquest<sup>31</sup>. It

<sup>26</sup> Gul. Neubrigen. l. 4. c. 7. p. 367. <sup>27</sup> Simeon Dunelm. col. 243.

<sup>28</sup> Hakluyt's Voyages, vol. 1. p. 120.

<sup>29</sup> Camden Britan. vol. 1. p. 423.

<sup>30</sup> Gul. Neubrigen. l. 4. c. 8, 9.

<sup>31</sup> Simeon Dunelm. col. 39. J. Brompt. col. 965. Drake's History of York.

revived however in a little time ; and William of Malmesbury tells us, that in the reign of King Stephen, when he wrote, it was become a place of great trade ; and that ships from Ireland and Germany sailed up the river Ouse into the very heart of the city<sup>32</sup>. Great numbers of Jews settled in York about this time, and acquired immense wealth by usury and commerce, which, together with their magnificent houses and splendid way of living, excited the envy and indignation of the people to such a degree that they determined to destroy them. As soon as the news of the slaughter of that people at the coronation of Richard I. reached York, the mob arose, assaulted the Jews, plundered and burnt their houses, killed many, and drove others in despair to kill themselves, after they had dispatched their wives and children with their own hands<sup>33</sup>. This outrageous tumult, in which some hundreds of Jews were killed, and their houses, furniture, and riches, reduced to ashes, seems to have been fatal to the trade of York, which declined so fast, that it was able to send only one small ship, with nine mariners, to the fleet of Edward III.<sup>34</sup>.

Many other  
fe-  
ports.

Many other towns situated on the sea-coasts and navigable rivers of Britain, had their share of foreign trade in this period. But a more particular enumeration of them is unnecessary,

<sup>32</sup> W. Malmf. Pontific. Angl. l.3. Prolog. p.147.

<sup>33</sup> G. Neubrigen. l.4. c.9, 10.

<sup>34</sup> Hakluyt's Voyages, vol. 1. p.120.

and would be tedious. One of our ancient historians, referring to the times we are now delineating, hath the following exclamation: “O England! thou wast lately equal to the ancient Chaldeans in power, prosperity, and glory. The ships of Tarshish could not be compared with thy ships, which brought thee spices, and every precious thing, from the four corners of the world. The sea was to thee an impregnable wall, and thy ports on all sides as the well-fortified gates of a strong castle.”<sup>35</sup>

It is curious, and may be useful, to know what were the most valuable articles of the foreign trade of Britain in every period. By this we shall at least discover wherein the superfluities and necessities of our country consisted from time to time, and in what manner the former were disposed of, and the latter were supplied.

Slaves still continued to be a capital article, both in the internal and foreign trade of Britain. When an estate was conveyed from one proprietor to another, all the villains or slaves annexed to that estate, were conveyed at the same time, and by the same deed<sup>36</sup>. When any person had more children than he could maintain, or more domestic slaves than he chose to keep, he sold them to a merchant, who disposed of them either at home or abroad, as he found

Chief articles of foreign trade.

Slaves exported.

<sup>35</sup> Math. Westminst. p. 240, 241.

<sup>36</sup> Liber Niger Scaccarii, art. de *Danegeldo*. Regiam Majestat. l. 2. c. 12. § 3. Rymer. Fœd. tom. 1. p. 90.

would

would be most profitable. “ It was a common  
 “ vice (says Giraldus Cambrensis) of the Eng-  
 “ lish, when they were reduced to poverty, that  
 “ rather than endure it patiently, they expos'd  
 “ their own children to sale <sup>37</sup>. ” Many of these  
 unhappy persons were carried into Ireland, and  
 no doubt into other countries, and there sold <sup>38</sup>.  
 A strong law was made against this barbarous  
 kind of commerce, in a great council held at  
 St. Peter's, Westminster, A. D. 1102. “ Let  
 “ no man, for the future, presume to carry on  
 “ the wicked trade of selling men in markets,  
 “ like brute beasts, which hitherto hath been the  
 “ common custom of England <sup>39</sup>. ” But this law  
 did not put an end to this trade in slaves. For  
 in the great council held at Armagh, A. D. 1171.,  
 the whole clergy of Ireland, after having deli-  
 berated long concerning the cause of the cala-  
 mities with which they were threatened by the  
 invasion of the English, at length agreed, that  
 this great judgment had been inflicted upon  
 them by the displeasure of God, for the sins of  
 the people, particularly for their having bought  
 so great a number of English slaves from mer-  
 chants, robbers, and pirates, and for detaining  
 them still in bondage. To appease therefore the  
 divine displeasure, which had been excited against  
 them on that account, they decreed,—“ That all  
 “ the English slaves in the whole island of Ire-

<sup>37</sup> Girald. Cambren. Hiberniae Expugnat. I. i. c. 18. p. 770.

<sup>38</sup> Id. ibid.

<sup>39</sup> Eadmer. Hist. Novor. I. 3. p. 68.

“ land

" land should be immediately emancipated, and  
" restored to their former liberty."<sup>40</sup>

English horses had been long admired and Horses.  
coveted on the continent; and such multitudes  
of them had been exported, that a law was made  
by King Athelstan,—“ That no man shall ex-  
“ port any horses beyond seas, except such as he  
“ designs to give in presents<sup>41</sup>. ” But this law,  
it is probable, did not continue long in force,  
especially after the conquest, when the inter-  
course between this island and the continent was  
under no restrictions, and our great barons had  
estates in both countries. The very high price  
of horses, especially of those which were used by  
the nobility in war and tournaments, is a pre-  
sumption that they were exported. A great  
baron named *Amphitil Till*, agreed to pay to King  
John, A. D. 1207., as a part of his ransom, ten  
horses, each worth thirty marks, equivalent to  
three hundred pounds of our money at present<sup>42</sup>.  
Whether any other animals were exported in  
this period or not, we are not informed.

Wool was for several centuries the most va- Wool and  
luable article of the British exports. Gervase de leather.  
Aldermanbury, in his accounts of the chamber-  
lainship of London, A. D. 1199., charges him-  
self with twenty-three pounds twelve shillings,  
which he had received from several merchants,

<sup>40</sup> Wilkin. Concil. tom. I. p. 471.

<sup>41</sup> Wilkin. Saxon. Legis, p. 52.

<sup>42</sup> Rymeri Fœd. tom. I. p. 146. col. 2.

for leave to export wool and leather out of England<sup>43</sup>. He also accounts for two hundred and twenty-five marks, which had arisen from the sale of forty-five sacks of wool seized from the merchants, for attempting to export them without leave<sup>44</sup>. Many other proofs, if it were necessary, might be produced, of the exportation of wool, woolfels, and leather, in this period.

Woollen  
yarn and  
cloth.

It is highly probable, if not absolutely certain, that woollen yarn, and even woollen cloth, were exported from England in this period. In the tenth year of Richard I., the chamberlain of London accounted for eleven marks, which had arisen from the sale of a parcel of woollen yarn seized from John de Birchamstede, because he had attempted to export it to Flanders, contrary to the liberties of the city of London<sup>45</sup>. From this it appears, that woollen yarn was exported, and that the privilege of exporting it had been granted to the merchants of London. That the manufacture of woollen cloth was in a much more flourishing state in England in this than in the succeeding period, there is the clearest evidence; which induced a well informed writer to say,—

“ That in the time of Henry II. and Richard I.,  
 “ this kingdom greatly flourished in the art of  
 “ manufacturing woollen cloth ; but by the  
 “ troublesome wars in the time of King John  
 “ and Henry III., and also of Edward I. and

<sup>43</sup> Madox Hist. Excheq.

<sup>44</sup> Id. ibid.

<sup>45</sup> Id. ibid.

“ Edward II., this manufacture was wholly lost  
 “ and all our trade ran out in wool, woolfels,  
 “ and leather, carried out in specie<sup>46</sup>. ” The Flemings settled in England seem to have exported some of the woollen cloths which they manufactured. For we are told by a contemporary writer, that they applied with equal ardour to the woollen manufacture and to foreign trade.<sup>47</sup>

Although agriculture was far from being in a <sup>Corn.</sup> flourishing state in Britain, in this period; yet, in favourable seasons, the natural fertility of the soil, even with imperfect cultivation, made it produce more corn than was necessary for home consumption, and at those times considerable quantities of it were exported. “ Then (says “ one of our ancient historians) England might “ be called the store-house of Ceres, out of “ which the world was supplied with corn<sup>48</sup>. ” Many examples are to be found in the records of this period, of fines paid to the King, for licences to export corn; which is a sufficient proof that it was at some times an article of exportation.<sup>49</sup>

Metals, particularly lead and tin, constituted <sup>Metals.</sup> one of the most valuable articles of exportation in the times we are now delineating. Almost all the cathedral and abbey churches, together with

<sup>46</sup> Sir Matth. Hale’s primitive Original of Mankind, p.167.

<sup>47</sup> Girald. Cambren. Itin. Camb. p.848.

<sup>48</sup> Gul. Pictaven. p.210.

<sup>49</sup> Madox Hist. Excheq. p.323. 530, &c.

many

many palaces and castles in France, and other countries on the continent, are said to have been covered with lead brought from England<sup>50</sup>. We may form some idea of the great quantities of tin that were exported, from an article in the accounts of Henry de Castelun, chamberlain of London, A. D. 1198., in which he charges himself with three hundred and seventy-nine pounds eighteen shillings, which he had received in fines from the merchants of London, for leave to export tin<sup>51</sup>. The royal revenues arising from the tin-mines of Cornwall and Devonshire, were valued at two thousand marks a-year, equivalent to ten thousand pounds of our money; and were granted, at that rate, to Queen Berengaria, widow of Richard I.<sup>52</sup>

Other articles of exportation.

Besides these capital articles of exportation, there were many others of smaller value, as salt, salmon, cheese, honey, wax, tallow, &c. &c. as appears from the licences granted for exporting them, which are still extant in our records<sup>53</sup>. But it is not necessary to make this enumeration more perfect.

Imports.

In return for the goods which they exported, the British merchants of this period imported not only gold and silver, in coin and bullion, but several other commodities, for which they found

<sup>50</sup> Histoire Litteraire de la France, tom. 9. p. 221.

<sup>51</sup> Madox Hist. Excheq. p. 531.

<sup>52</sup> Rymer. Fœd. tom. 1. p. 243.

<sup>53</sup> Madox Hist. Excheq. p. 530, &c.

a demand at home. It is proper to mention some of the most valuable of these commodities.

As the English were not very famous for their *wines*, sobriety in this period, we may be certain that wine was a saleable commodity, and made one of the most valuable articles of importation. “The French (says William Fitz-Stephen) import their wines into London, which they expose to sale both in their ships and in their wine-cellars near the river<sup>54</sup>. ” The duties payable on wines imported, called *prisū vinorum* (the price of wines), constituted no inconsiderable branch of the royal revenue; and particular officers were appointed for collecting these duties<sup>55</sup>. The importation of wines increased very much after the marriage of Henry II. with Eleanor, heiress of some of the finest provinces in the south of France, where the best wines were produced<sup>56</sup>. The wine-trade was become a matter of so much importance in the beginning of King John’s reign, that a law was made for regulating the prices of all the different kinds of wine, and twelve men appointed in each city, town, and borough, to superintend the execution of that law. “By this means (says a contemporary historian) the land was filled with drink and drunkards.”<sup>57</sup>

<sup>54</sup> W. Stephaned. Descript. Civitat. London, p. 5, 6.

<sup>55</sup> Madox Hist. Excheq. p. 525, 526.

<sup>56</sup> Anderson’s Hist. Com. vol. i. p. 83.

<sup>57</sup> Hoveden. Annal. p. 453.

Spiceries,  
drugs, &c.

Spiceries, drugs, and aromatics, of various kinds, the productions of the East, were imported in considerable quantities in this period; because they were much used by persons of rank and fortune in their meats and drinks, as well as by physicians in the composition of their medicines<sup>58</sup>. “The Sabeans (says Fitz-Stephen) import into London their frankincense and other spices; and from the rich country, about Babylon, they bring the oil of palms<sup>59</sup>. ” The spice-trade formed so capital a branch of the commerce of this period, that merchants in general are often called *speciarii* in the barbarous Latin of those times.<sup>60</sup>

Gold and  
precious  
stones.

Gold and precious stones were imported from Egypt, Arabia, and other eastern countries<sup>61</sup>. For though no gold was used at this time in coinage, much of it was used in manufactures of various kinds, by goldsmiths, jewellers, gilders, embroiderers, illuminators, and painters. The monks, in particular, were bitterly reproached by several writers, for expending so much gold in gilding and illuminating books<sup>62</sup>. Many precepts of our ancient kings are still extant, directing certain persons to buy gold from the merchants for their use<sup>63</sup>. The sheriffs of Lon-

<sup>58</sup> Du Cange Gloss. voc. *Species Aromata*.

<sup>59</sup> W. Stephaned. p. 6.

<sup>60</sup> Murator. Antiq. tom. 2. Dissertat. 30. tom. 2. p. 881.

<sup>61</sup> W. Stephaned. p. 6.

<sup>62</sup> Martin. Ann. tom. 5. p. 1584. 1623.

<sup>63</sup> Anglia Judaica, p. 152.

don,

don, in the second year of Henry II., paid fifty-six shillings for gold to gild the King's bridles.<sup>64</sup>

Silks, and other fine fabrics of the East, were <sup>Silks.</sup> also imported ; but not in very great quantities, because they were used only by the church, the royal family, and perhaps by a few of the most wealthy barons<sup>65</sup>. Many cathedral and abbey churches were adorned with altar-cloths, veils, and curtains of silk, and had also vestments of it, in which their clergy officiated on some occasions<sup>66</sup>. It appears from the records of this period, that silks were purchased from time to time for the use of the royal family<sup>67</sup>. At the conquest, and for some time after, silks were very dear and scarce ; but manufactories of them having been established in Sicily, Spain, Majorca, and Ivica, in the course of the twelfth century, they became much cheaper and more common.<sup>68</sup>

Tapestry, together with linen and woollen cloths of the finer kinds, were among the British imports of this period. For though great quantities of woollen cloths were manufactured in England, and some of them were exported ; yet they seem to have been generally of the coarsest kinds, and most common colours ; while those of a finer texture, and more delicate co-

<sup>64</sup> Madox. Hist. Excheq. p. 230.

<sup>65</sup> W. Stephaned. p. 6. Anderson's Hist. Com. vol. i. p. 79.

<sup>66</sup> Anglia Sacra passim. <sup>67</sup> Madox Hist. Excheq. c. 10. § 12.

<sup>68</sup> Hoveden. Annal. p. 382. col. 2.

lours, for the use of persons of high rank, were imported from Flanders ; which was then so famous for the woollen manufacture, that it was called *Flandria Textrix*<sup>69</sup>. Tapestries for hangings were manufactured in the city of Arras, even in this period, and from thence imported into England<sup>70</sup>. Though linen, as well as woollen cloths, were manufactured in Britain ; yet it seems probable that the finest linens were imported, as the first notice we meet with of fine linen made in England is in the thirty-seventh of Henry III.<sup>71</sup>

## Furs.

Furs of various kinds, and in great quantities, were imported from Norway, Russia, and other northern countries<sup>72</sup>. For furs were very much used, both by the clergy and laity : and all persons who could afford to purchase them had their winter garments lined with them<sup>73</sup>. Some of these furs, particularly sables, bore a very high price, and could only be obtained by princes or prelates of the greatest wealth. Robert Bloit, Bishop of Lincoln, made a present to Henry I. of a cloak of the finest cloth lined with sables, which cost no less than one hundred pounds, equivalent to fifteen hundred pounds of our money.<sup>74</sup>

Dye-stuffs,  
woad.

Dye-stuffs, particularly woad, may be reckoned among the imports of Britain in this pe-

<sup>69</sup> Gal. Vinesauf. p. 433. Gervas Chron. col; 1348.

<sup>70</sup> Madox Hist. Excheq. p. 254.

<sup>71</sup> Id. p. 259. note g.

<sup>72</sup> Anglia Sacra, tom. 2. p. 499.

<sup>73</sup> W. Stephaned.

<sup>74</sup> Id. ibid. p. 417.

riod,

riod, which is an additional proof that the woollen manufacture was not neglected. Henry de Castel-lun, who was chamberlain of the port of London, charged himself, in his accounts for A.D. 1197., with the sum of ninety-six pounds six shillings and eight-pence, which he had received from certain merchants, for licences to import woad, and sell it in England<sup>75</sup>. The quantity of woad imported by these merchants must have been very great, when they could afford to pay a sum equivalent to more than fourteen hundred pounds of our money at present, for their licences.

Besides gold and silver, other metals, particularly iron and steel, were imported into Britain from Germany, and other countries, in this period<sup>76</sup>. The German merchants of the Steel-yard in London, are thought by some to have derived that name from the great quantities of iron and steel which they imported, and sold at a place called the *Steel-yard*.<sup>77</sup>

Though corn was exported from Britain in years of plenty, we have good reason to believe that it was imported in still greater quantities in times of scarcity, which were but too frequent in our present period. The merchants of London seem to have been the chief importers of corn; for we are told by a contemporary writer, that they kept many granaries full of it in that

<sup>75</sup> Madox Hist. Excheq. p. 351. 532.

<sup>76</sup> W. Stephaned, p. 6.

<sup>77</sup> Anderson's Hist. Com. vol. 1. p. 123.

city ; and that from these granaries all parts of the kingdom were supplied <sup>78</sup>. Several other articles of importation, as arms, books, pictures, &c. might be mentioned ; but it seems to be unnecessary, and would be tedious, to make this enumeration more particular.

**Merchants.** The internal trade of England was managed chiefly by Anglo-Saxons and Anglo-Normans, who were natives of the country, and members of the merchant guilds established in the several towns and cities of the kingdom : but they do not seem to have had a great share in its foreign commerce, which was for the most part in the hands of foreigners. Fitz-Stephen, who flourished in the reign of Henry II., acquaints us, in his description of London, that “in this city all nations “under heaven had factors residing for the management of their commerce.” <sup>79</sup>

**Jews.** Great Numbers of Jews came from Normandy, and other countries of the continent, soon after the conquest, and settling in all the trading towns of England, got possession of a very great proportion of the commerce of the kingdom <sup>80</sup>. Having larger capitals, greater knowledge of trade, and a more extensive correspondence with those of their own nation in other parts of Europe, than the native English merchants, they were able to undersell them in every market <sup>81</sup>. By these means they acquired great riches ; but

<sup>78</sup> W. Malmf. de Pontific. Angl. l. 2. p. 133. col. 2.

<sup>79</sup> W. Stephaned. p. 6.

<sup>80</sup> Anglia Judaica, p. 4.

<sup>81</sup> Id. p. 80.

at the same time drew upon themselves the indignation of the public, and the most oppressive exactions of the government. For they and their families were considered as the slaves, and all their possessions as the property, of the sovereign, which he might seize at pleasure, which he might even sell or mortgage like any other estate<sup>82</sup>. We may form some idea of the great trade and riches of the Jews of this period, as well as of the oppressions of the government, by observing, that a particular exchequer, called *the Exchequer of the Jews*, was established for receiving the prodigious sums extorted from them in customs, fines, forfeitures, tallages, and various other ways<sup>83</sup>. To give one example, out of many, of the cruelty of the government towards the Jews, and of the great sums extorted from them, we are told, “ That the King, A. D. 1210., “ commanded all the Jews in England, of both “ sexes, to be imprisoned, in order to compel “ them to pay him great sums of money. Some “ of them, after they had been grievously tor- “ tured, surrendered all the money they had, “ and even promised more, to preserve them- “ selves from further tortures. Amongst others, “ the King demanded ten thousand marks (equi- “ valent to one hundred thousand pounds at “ present) from a certain Jew of Bristol, and “ commanded one of his teeth to be pulled out

<sup>82</sup> Anglia Judaica, p. 132. Wilkin. Concil. t. I. p. 313.

<sup>83</sup> Madox Hist. Excheq. chap. 7. p. 150, &c.

“ every day till he paid that sum. The Jew held out seven days, but submitted on the eighth, and parted with his money to preserve the remainder of his teeth.”<sup>84</sup>

Christians  
not per-  
mitted to  
take in-  
terest for  
money.

All Christians, in this period, were prohibited, both by the laws of the church and state, from lending money at interest, which was called *usury*; and those who were convicted of it were punished by excommunication, and the forfeiture of all their goods<sup>85</sup>. By these imprudent laws, the business of lending money was thrown into the hands of the Jews, from whence they derived the most exorbitant profits, and in which they practised the most cruel exactions. For as the rate of interest was not regulated by any law, they set no bounds to their avarice, and took every advantage of the necessities of those who applied to them for a loan of money. On some occasions, if we are not misinformed, they took no less than fifty *per cent. per annum*. This, though almost incredible, is highly probable, from an order of Henry III. restraining them from taking more than two pence in the week for every twenty shillings they lent to the scholars of Oxford, which is a little more than forty-three *percent.*<sup>86</sup> From the following letter of the famous Peter of Blois, Archdeacon of Bath, to his friend the Bishop of Ely, we may

<sup>84</sup> M. Paris, ann. 1210. p. 160.

<sup>85</sup> Wilkin. Concil. tom. I. p. 313. M. Paris, p. 250. Hoveden. Annal. p. 335. <sup>86</sup> Anglia Judaica, p. 122.

form some idea of the extreme severity of the Jews to their unhappy debtors : “ I am dragged to Canterbury to be crucified by the perfidious Jews, amongst their other debtors, whom they ruin and torment with usury. The same sufferings await me also at London, if you do not mercifully interpose for my deliverance. I beseech you therefore, O most reverend father, and most loving friend, to become bound to Sampson the Jew, for six pounds, which I owe him, and thereby deliver me from that crofs<sup>77</sup>. ” After this we need not be surprised, either at the prodigious opulence of the Jews, or at the universal execration in which they were held.

The German merchants of the Steel-yard, Germans. who had been settled in London before the conquest, continued in the same place, and enjoyed the same privileges, after that event<sup>78</sup>. For Fitz-Stephen, who flourished about the middle of the twelfth century, says, in his description of London, that the merchants of all nations had their distant keys and wharfs in that city ; and, particularly, that the Germans had the Steel-yard<sup>79</sup>. But as the society of the merchants of the Steel-yard made a more conspicuous figure in the next period, we shall insert a more particular account of it in our next book.

<sup>77</sup> Epistolæ P. Blefens. Ep. 156. p. 242.

<sup>78</sup> See vol. 4. p. 231.     <sup>79</sup> W. Stephaned. Descript. Lond. p. 5.

*Italians.*

The trade of Venice, Pisa, Genoa, Amalphi, and some other cities of Italy, was, in this period, in a very flourishing state<sup>90</sup>. The truth is, that almost all the commerce between Asia, Africa, and Europe, was in the hands of the merchants of these cities, who exported the superfluities of Europe, and brought home the spices, gold, silks, and other precious commodities of the East, which they sent into every country where they could find a market, and particularly into Britain. For the management of this trade, companies of Italian merchants were settled in London, and perhaps in some other towns.

*Caurfini.*

Amongst these companies the Caurfini were the most famous about the end of this and the beginning of the next period. It is imagined, that they were called Caurfini, because many of them belonged to a numerous and opulent family of that name in Italy<sup>91</sup>. However this may be, the Caurfini in England, by departing from the proper business of merchants, and becoming agents for the Pope in his usurious transactions, rendered themselves as odious as the Jews<sup>92</sup>. But a more full account of this society, as well as that of the Lombards, shall be given in the sixth chapter of our next book.

*Barons*

*merchants.*

Some of the great barons of England, among the officers of their household, had one who was

<sup>90</sup> Murator. Antiq. tom. 2. p. 883, &c.

<sup>91</sup> Du Cange Gloff. voc. *Caurfini*.

<sup>92</sup> M. Paris, p. 286. M. Westminst. ann. 1233. p. 134.

called

called *the Merchant*, who transacted all the mercantile business of the baron to whom he belonged; disposing of his corn, cattle, and every thing he had to sell; and purchasing cloths, wines, spices, and every thing else he wanted to buy. It appears from records, that these baronial merchants even engaged in foreign trade, and imported wines and other goods, for which they were liable to pay customs.<sup>93</sup>

Commerce had been an object of the attention of government, and a subject of legislation, in the Anglo-Saxon times, and continued to be so in the present period<sup>94</sup>. It was one of the first cares of the Conqueror to encourage trade. With this view he published a proclamation, inviting foreign merchants to frequent the ports of England, and promising them the most perfect security for their goods and persons<sup>95</sup>. This prince adopted several Anglo-Saxon regulations, with respect to trade, into his own laws, and enforced them by his authority. By one of these laws, it is decreed,— “That no live cattle shall be bought or sold, but in cities, and before three creditable witnesses;” by another,— “That all fairs and markets shall be kept in fortified cities, towns, or castles.” These laws were inconvenient; but they were necessary in those turbulent times. The Conqueror also

Mercan-  
tile regula-  
tions.

<sup>93</sup> Madox Hist. Excheq. p. 529. note (e).

<sup>94</sup> See book 2. chap. 6.

<sup>95</sup> Seldeni Spicilegium in Eadmer. p. 191.

<sup>95</sup> W. Pictaven. p. 208.

prohibited the selling of Christian slaves to infidels: but this prohibition, it is probable, was not much regarded<sup>97</sup>. We know of no laws respecting trade made by William II.; but his successor Henry I., was more attentive to that important object. By the ancient law and custom of England, when a ship was wrecked on the coast, if those who escaped from it did not return to it within a limited time, the ship and cargo became the property of the lord of the manor. This most unjust and cruel law was abrogated by Henry I., who decreed, that if one man escaped alive out of the wreck, the lord of the manor should have no claim either to the ship or cargo.<sup>98</sup>

But this just and merciful regulation was very disagreeable to many of the rapacious barons, and was quite disregarded after the death of the prince by whom it was made, till it was revived by his grandson Henry II. “That prince (as we are told by one of our ancient historians), in the very beginning of his reign, abolished the cruel custom toward shipwrecked sailors, which had too long prevailed; and commanded that those who escaped from the dangers of the sea, should be treated with kindness; and that such as did them any injury, or seized any of their goods, should be severely punished<sup>99</sup>.” A law which doth

<sup>97</sup> Seldeni Spicilegium in Eadmer, p. 191.

<sup>98</sup> Seldeni Opera, tom. 4. p. 1009.

<sup>99</sup> W. Neubrigen, l. 2. c. 26. p. 341.

much

much honour both to the wisdom and humanity of its author. However this may be, it is certain, that Henry II., A.D. 1174., promulgated the three following regulations on this subject: 1. That if but one man escaped from a ship alive, that ship and cargo could not be considered as a wreck, but should be kept for the use of the owners. 2. Though no man escaped alive, yet if any animal escaped, or was found in a ship alive, the ship and cargo should be committed to the custody of four persons of credit, to be kept three months, to be delivered to the owners if they appeared within that time, or to the King at the end of it, if the owners did not appear. 3. But if neither man nor beast escaped alive, the ship and cargo should belong to the King, or to the person having right to wreck at that place<sup>100</sup>. This prince cultivated the friendship of the Emperor Frederick Barbarossa, to whom he sent a splendid embassy, with magnificent presents, A.D. 1157., with a view to promote a free trade between their subjects<sup>101</sup>. To prevent the diminution of the ships and sailors of his kingdom, which he knew to be so necessary both for its defence and trade, Henry II., A.D. 1181., commanded his justices itinerant, “to give a strict charge in every county, that no man, as he valued his life and fortune, should buy or sell any ship to be carried out of England, or

<sup>100</sup> Rym. Fœd. tom. I. p. 36.

<sup>101</sup> Radovic. Frisingens. I. I. c. 7. p. 263.

“ should

By Rich-  
ard I.

"should send, or cause to be sent, any mariner  
"out of England."<sup>102</sup>

The importance of trade to the prosperity of the kingdom becoming more conspicuous, Richard I. paid great attention to it, and made many mercantile regulations. The laws and regulations, published by this prince at Chinon in France, A. D. 1189., for the government of his great fleet in his expedition into the Holy Land, are very curious, but too long to be here inserted; and being rather of a martial than a mercantile nature, do not so properly belong to our present subject. By the last of these laws, it is decreed,

"That whoever is convicted of theft, shall  
"have his head shaved, melted pitch poured  
"upon it, and the feathers from a pillow shaken  
"over it, that he may be known; and shall be  
"put on shore on the first land at which the ship  
"touches <sup>103</sup>." The famous maritime laws called *The Laws of Oleron*, as it is asserted by many modern authors, were promulgated by this prince on that island, at his return from the Holy Land; but on what foundation this assertion is built, I have not been able to discover <sup>104</sup>. These laws, which are forty-seven in number, are evidently very ancient, and no less prudent, humane, and just; though several of them, from a change of manners and circumstances,

<sup>102</sup> Benedict. Abbas, tom. I. p. 368.

<sup>103</sup> Rym. Fœd. tom. 4. p. 65. Brompt. Chron. col. 1173.

<sup>104</sup> Godolphin's View of the Admiral Jurisdiction, p. 34. Anderson's Hist. Com. vol. I. p. 96.

are now obsolete<sup>105</sup>. We have better evidence that Richard I. made various mercantile regulations, soon after his return into England from his unfortunate expedition into the East. By the first of these regulations he commanded the seaports to be carefully guarded that no corn or provisions of any kind might be exported either in English or foreign bottoms. But this was only a temporary prohibition, to prevent a famine, with which England was then threatened. Having set forth the great inconveniences arising from the diversity of weights and measures in different parts of the kingdom, he, by a law, commanded all measures of corn, and other dry goods, as also of liquors, to be exactly the same in all his dominions ; and that the rim of each of these measures should be a circle of iron. By another law, he commanded all cloth to be woven two yards in breadth within the lists, and of equal goodness in all parts ; and that all cloth which did not answer this description, should be seized and burnt. He enacted further, That all the coin of the kingdom should be exactly of the same weight and fineness, — that no Christian should take any interest for money lent ; — and to prevent the extortions of the Jews, he commanded that all compacts between Christians and Jews should be made in the presence of witnesses, and the conditions of them put in writing, of which three copies should be made,

<sup>105</sup> Godolphin Append. p. 163.

one to be lodged in a public repository, and one to be given to each party<sup>106</sup>. Many of these regulations were wise and useful, but some of them were tinctured with the prejudices of the times.

Regulations  
of  
King John.

If there was any thing commendable in the character of King John, it was his attention to maritime and mercantile affairs. Of this he gave a proof, soon after his accession to the throne, by publishing the famous edict of Hastings, A.D. 1200., in which he asserted his dominion over the British seas in the strongest terms, and commanded his captains to seize all ships which did not strike their topsails to them, to confiscate their cargoes, and imprison their crews, even though they were the subjects of a power in friendship with England<sup>107</sup>. In a word, the attention of this prince to maritime affairs was such, that he was served with zeal and fidelity by his sailors, when he was abandoned by almost all his other subjects<sup>108</sup>. It is a sufficient evidence of this, that, at a time when his affairs were in the most desperate state on shore, his fleet destroyed the whole naval power of France, and sent home no fewer than three hundred sail of French ships which had been taken<sup>109</sup>. King John contributed also to the improvement of commerce, by establishing guilds

<sup>106</sup> Hoveden. Annal. p. 440. col. 2. Brompt. Chron. col. 1258.

<sup>107</sup> Selden's Mare clausum, l. 2. c. 26. p. 265.

<sup>108</sup> M. Paris, p. 184. Campbell's Lives of the Admirals, vol. I. c. 4. p. 146.

<sup>109</sup> M. Trivet. Annal. ad ann. 1214.

or societies of merchants, with various privileges and immunities, in all parts of the kingdom, where there was any considerable trade <sup>110</sup>. By the forty-first article of Magna Charta, foreign merchants are secured against all violence, and every illegal exaction, in times of peace; and it is declared, that when a war breaks out, they shall be treated in England in the same manner in which the English merchants are treated in the enemy's country. <sup>111</sup>

As ships are the chief instruments of foreign Shipping. trade, the state of the shipping of this island is an object worthy of some attention in every period of its history.

We conjectured, rather than affirmed, that the shipping of England amounted to two or three thousand vessels, from twenty to one hundred tons, at the conclusion of the former period <sup>112</sup>. Whatever may be in this conjecture, there is sufficient evidence, that, in the course of the period we are now delineating, the ships belonging to Britain became more numerous, of a larger size, and better construction, than they had been before the conquest.

The very fleet which brought over the Duke of Normandy and his army into England, made a great addition to the English shipping. Some of our ancient historians affirm, that this fleet consisted of no fewer than three thousand ships <sup>113</sup>.

More nu-  
merous  
than in the  
former  
period.

<sup>110</sup> Brady on Burghs, *passim*.

<sup>112</sup> See vol. 4. p. 234.

<sup>113</sup> Magna Charta, ch. 41.

<sup>113</sup> *Ypodigma Neustriae*, p. 436.

Though this may be an exaggeration, we may be certain that the transportation of sixty thousand men, with their horses, arms, and other necessaries, required a very numerous fleet of such small ships as were then in use. Some of these ships were carried back to the continent; but the greatest part of them, together with their crews, remained in England, and made a great addition to its naval power. The frequent voyages of our Anglo-Norman kings, between this island and their dominions on the continent, attended by large armies, chiefly composed of cavalry, rendered numerous fleets absolutely necessary. These, it is true, bore a greater resemblance to fleets of transports, than to the royal navies of the present times. For they consisted chiefly of merchant-ships, collected together when it was necessary, and dismissed as soon as the service was performed <sup>114</sup>. But the very possibility of collecting together a fleet of several hundred ships, in a few weeks, affords a demonstration that England abounded in shipping in this period.

Description  
of  
their ships.

The Anglo-Saxon ships were very small, and far from being perfect in their construction <sup>115</sup>. But the English ships of this period appear to have been both larger and better built. Those of the largest size, and strongest construction, were called *dromones* <sup>116</sup>. The famous Saracen

<sup>114</sup> M. Paris, ad an. 1213, p. 162.

<sup>115</sup> Mr. Strutt's View, &c. vol. I. plate 9. fig. 1.

<sup>116</sup> Gauf. Vineauf. l.2. c. 26. p. 316.

ship which was taken by Richard I. near the port of Acon, was of this kind ; and must have been of an enormous magnitude, as it contained no fewer than fifteen hundred men<sup>117</sup>. Those dromones had three masts, and are said to have sailed very slowly, being too lofty to make use of oars. Ships of the second rate, called *buffæ* or *buccæ*, were also large vessels, and had three masts<sup>118</sup>. Galleys were of various kinds, and different degrees of magnitude ; but they all made use of oars as well as sails<sup>119</sup>. The ships most commonly used in trade, both at sea and on large rivers, were called *barcæ*, or *barks* ; and those of them which were of the smallest size were called *barbottæ*<sup>120</sup>. All these vessels had decks, for securing the goods with which they were loaded, from the injuries of the sea. Besides these, they had boats of different kinds and dimensions, for plying on rivers, for fishing, and for other purposes.<sup>121</sup>

That the English ships of this period had the reputation of being excellent in their several kinds, is at least highly probable, from the law of Henry II. which prohibited the selling of them to foreigners<sup>122</sup>. We are told by a contemporary author, who was present at Messina, in Sicily, with Richard I., in his way to the

English  
ships much  
valued.

<sup>117</sup> M. Paris, p. 115. col. 1.

<sup>118</sup> Du Cange Gloss. voc. *Buffæ*.

<sup>119</sup> Id. ibid. voc. *Galea*.

<sup>120</sup> Id. ibid. in voc. *Barcæ*, *Barbottæ*.

<sup>121</sup> See Mr. Strutt's View, &c. vol. 1. plate 32.

<sup>122</sup> Benedict. Abbas, p. 368.

Holy Land,—that the people of that city were filled with admiration at the number, beauty, and magnitude, of the ships of which that monarch's fleet was composed ; and declared, that so fine a fleet had never been seen, and probably never would be seen in the harbour of Messina<sup>123</sup>. This was indeed a very gallant fleet. It consisted of thirteen ships of the largest kind, called *dromones*, one hundred and fifty of the second rate, called *bussæ*, fifty-three galleys, besides a great number of tenders<sup>124</sup>. Such a fleet would make no contemptible appearance even in modern times.

English  
sailors ex-  
celled  
those of  
other  
countries.

As the British ships were better built, so they were also better navigated, in this than in the preceding period. The English sailors were much admired, both at home and abroad, for their dexterity and courage ; which produced the law of Henry II., prohibiting them from entering into foreign service<sup>125</sup>. Geofrey of Vinesauf, who accompanied Richard I. in his expedition into the Holy Land, ascribes the preservation of that prince from shipwreck in a storm, to the uncommon skill and courage of his sailors, “ who did every thing that it was “ possible for human art to do, to resist the fury “ of the winds<sup>126</sup>. ” This character, which the English sailors so early acquired, they have long retained, and I hope will never forfeit.

<sup>123</sup> Gauf. Vinesauf. l. 2. c. 26. p. 316.

<sup>124</sup> J. Brompt. col. 1197. R. de Diceo, col. 657.

<sup>125</sup> Benedict. Abbas, p. 368.

<sup>126</sup> G. Vinesauf. l. 2. c. 27. p. 317.

It is a little uncertain, whether or not the English sailors towards the end of this period, had the advantage of the mariners compass to guide them in their voyages. For neither the person who invented that most useful instrument, nor the time when it was invented, are very well known. It is however certain, that it had been discovered about the end of the twelfth, or the beginning of the thirteenth century, that a needle touched with a loadstone pointed towards the north; and that endeavours were then used to apply this discovery to navigation, though the most convenient way of doing it was not then invented. For Hugh de Bercy, a French poet, who flourished in the former part of the thirteenth century, mentions this property of a needle touched with a loadstone very plainly, and describes an instrument called *la mariniere*, used by the sailors of his time, in which the needle was placed upon a board that floated in a vessel of water.<sup>127</sup>

If ships and sailors are necessary to foreign trade, especially in an island, money is no less necessary both to foreign and internal commerce. It hath long been the common measure of all commodities, and the chief instrument of their circulation, and must therefore never be neglected in the history of trade.

<sup>127</sup> Pasquier Recherches de la France, l.4. c. 25. p. 405.

Living  
money.

Changes  
made by  
the con-  
quest.

Living money, which made so great a figure in the former is seldom or never mentioned by the writers of the present period <sup>128</sup>. For when coin became common, the conveniency of it, as a representative of all commodities, appeared so great, that all others were soon laid aside.

The full account that hath been given of the several denominations of money, and of the real coins that were used in Britain in the preceding period, makes it unnecessary to say much on these subjects in the present; because the changes made in them by the conquest were but few and inconsiderable. These changes were the following <sup>129</sup>. Some denominations of money, as mancusses, oras, and thrimfas, that were common in the Anglo-Saxon times, fell into disuse, and are seldom mentioned by the writers after the conquest. If the mancus of gold was a real coin among the Anglo-Saxons, which is not very certain, it ceased to be coined after the conquest; for there is not the least vestige of such a coin among the Anglo-Normans: nor do we hear any thing of the copper-coin called a *stica* after the conquest.

Pound.

The Tower pound, which had been the money pound of the Anglo-Saxons, continued to be the money pound of England for several centuries after the conquest <sup>130</sup>. This pound was three fourths of an ounce lighter than the Troy pound,

<sup>128</sup> See vol. 4. p. 243.

<sup>129</sup> Id. p. 245—279.

<sup>130</sup> Folkes on Coins, p. 2.

to which it was in the proportion of fifteen to sixteen. It was divided into twelve ounces, each ounce weighing 450 Troy grains, which made 5400 such grains in the pound<sup>131</sup>. Whenever therefore a pound of money is mentioned by the writers of this period, it signifies as many silver coins as weighed 5400 Troy grains; or, in other words, a Tower pound weight of silver coins. The pound was both the largest and most common denomination of money.

The mark is another denomination of money, <sup>Mark.</sup> which is frequently mentioned in the histories and records of this period. It weighed exactly two thirds of a Tower pound; and was the same with the Anglo-Danish mark, which hath been fully described already.<sup>132</sup>

The shilling was not a real coin, but only a denomination of money, in this period, whatever it might have been in the former. The Anglo-Norman shilling was also very different in its weight and value from the Anglo-Saxon. The largest of the latter weighed only  $112\frac{1}{2}$  Troy grains, whereas the former represented as many silver coins as weighed 270 of the same grains, or the twentieth part of a Tower pound.

The penny was by far the most common real <sup>Penny.</sup> coin in the present period. Every Tower pound of silver was coined into two hundred and forty of these pennies, each weighing  $22\frac{1}{2}$  Troy grains. Twelve of these pennies, weighing 270 grains,

<sup>131</sup> See vol. 4. p. 251.

<sup>132</sup> Id. p. 258.

were paid for one shilling<sup>133</sup>. In a word, the Anglo-Norman penny was the same in weight with the Anglo-Saxon. Many of the former, as well as some of the latter are still preserved, and have been published.<sup>134</sup>

Halfpennies and farthings.

Though the silver penny of this period was but a small coin ; yet it was of considerable value, and would have purchased as much provisions, or other goods, as four or five of our shillings will do at present. To have had no smaller coins than pennies, would have been very inconvenient to the poor in the purchase of provisions and other necessaries. We may be certain, therefore, that silver half-pennies and farthings were coined in this, as well as in the former period ; though few or none of these small coins of some of our Norman kings have been preserved. It seems probable, however, that the smaller coins were sometimes very scarce, and that the people had been accustomed to cut or break silver pennies into halves and quarters, which passed for half-pennies and farthings. For Henry I., A.D. 1108., prohibited this practice ; and commanded, that all half-pennies and farthings, as well as pennies, should be entire and round<sup>135</sup>. It appears also, that this law did not put an end to the practice of cutting pennies into halves and quarters, but that it continued through the whole of this period ; because we meet with a law against it in the reign of Edward I. A.D. 1279.<sup>136</sup>

<sup>133</sup> Folkes on Coins, p.5.

<sup>135</sup> Simeon Dunelm. col. 231.

<sup>134</sup> Id. vol. 2.

<sup>136</sup> M. Westminst. p.367.

In the course of this period, the silver penny is sometimes called an *esterling* or *sterling*; and good money in general is sometimes called *esterling* or *sterling* money.<sup>137</sup> It is unnecessary to mention the various conjectures of antiquaries about the origin and meaning of this appellation. The most probable opinion seems to be this, that some artists from Germany, who were called *Esterlings*, from the situation of their country, had been employed in fabricating our money, which consisted chiefly of silver pennies; and that from them the penny was called an *esterling*, and our money *esterling* or *sterling* money.<sup>138</sup>

As the silver coins of England in this and the former period, were of the same kinds, and of the same weights, they were also of the same standard or degree of fineness. Both our Anglo-Saxon and Anglo-Norman princes paid great attention to the purity of their coin, and punished those who attempted to debase it, with great severity.<sup>139</sup> Henry II., A.D. 1180., called in all the coin, because some of it had been debased; and issued new money, which was to be the only current coin of the kingdom.<sup>140</sup>

Coining money was not confined to one place in England, as it is at present, but was practised in every town of any considerable trade. The

Money  
mints in  
England.

<sup>137</sup> Spelman. Gloss. voc. *Esterlingus*.

<sup>138</sup> Id. ibid.

<sup>139</sup> See vol. 4. p. 277. Hen. Knyghton, col. 2377. Gervas Chron. col. 1457.

<sup>140</sup> Benedict. Abbas, ad ann. 1180.

workmen, however, who were employed in coining, did not enjoy the same liberty with other artists, of following their own fancies, and making such coins as they pleased; but they received all their dyes from the exchequer, and they wrought under the inspection of officers, who were called *examinatores monetæ*, and *custodes cuneorum*, “Effayers and keepers of the dyes,” whose business it was, to take care that their coins were of the standard weight and fineness. All these workmen, together with the effayers and keepers of the dyes, in all the different mints, were under the immediate direction of the barons of the exchequer; who, from time to time, commanded them to appear before them with their implements of coining. Thus, in the 9th of King John, writs were issued by the barons of the exchequer, commanding all the moneyours, effayers, and keepers of the dyes, in London, Winchester, Exeter, Chichester, Canterbury, Rochester, Ipswich, Norwich, Lynn, Lincoln, York, Carlisle, Northampton, Oxford, St. Edmunds, and Durham, to appear before them at Westminster, in the quinzieme of St. Denys, and to bring with them all their dyes sealed up with their seals.<sup>141</sup>

Coins of  
Scotland  
the same  
with those  
of Eng-  
land.

Though it is highly probable that money was coined in Scotland before the beginning of this period; yet as none of that ancient money hath been discovered, nothing certain can be said on

<sup>141</sup> Madox Hist. Excheq. chap. 9. p. 198.

that

that subject<sup>142</sup>. Nor have any coins of Malcolm Canmore, or of his three successors, Donald, Duncan, and Edgar, kings of Scotland, yet appeared; the most ancient Scotch coins that are known being those of Alexander I., who began his reign A. D. 1107.<sup>143</sup> From that æra the series is almost complete<sup>144</sup>. It is unnecessary to spend one moment in describing the money of Scotland, in this period, as it was exactly the same in weight, fineness, and fabrication, with that of England, already described.

If any gold was coined in Britain in the times we are now considering, it hath disappeared. For no gold coins of any of the kings who reigned in England, in this period, have been yet discovered, nor are any such coins mentioned by the contemporary historians. But foreign gold coins, of the same kinds which had circulated among the Anglo-Saxons, still continued to circulate through the whole of this period. These were commonly called *Byzants*, or *Byzantines*, and have been described in the sixth chapter of the second book of this work.<sup>145</sup>

No gold  
coined in  
this pe-  
riod.

The proportion of gold to silver appears to have been as one to nine. The Abbot of Thorney being obliged to pay to King Stephen yearly, for the privilege of a market at Jakesley, one mark of gold, paid nine marks of silver, and was dif-

Propor-  
tion of  
gold to  
silver.

<sup>142</sup> See vol. 4. p. 282.

<sup>143</sup> Anderson Diplomata Scotiæ, Praefat. p. 57.

<sup>144</sup> Id. plate 157, &c.

<sup>145</sup> See vol. 4. p. 274.

charged.

charged<sup>146</sup>. The same proportion was observed in the succeeding reign. For Peter Turk paid six pounds of silver into the exchequer, for one mark of gold, which he owed to Henry II.<sup>147</sup> The cheapness of gold, in this period, seems to be an indication of its abundance in proportion to silver.

Different ways of paying money.

The most natural and easy way of paying any sum of money, is to pay as many real coins of gold or silver as are nominally and legally contained in that sum. This is called paying by tale; and is almost the only method now in use. But as the real value of coins, in some periods, may fall considerably short of their nominal value, either by a deficiency in their weight, or fineness, or in both, it becomes necessary, at those times, to contrive some method to guard against this deception. Several methods were used for this purpose, in the times we are now considering, by those who received the royal revenues at the exchequer, and probably by all who had extensive dealings in money.

Increment.

When the coins offered to the receivers at the exchequer appeared to them sufficiently pure, but a little lighter than the standard, they contented themselves with demanding and receiving six silver pennies in every pound, more than was nominally contained in it, to make up the supposed deficiency in the weight. For example, they demanded and received two hundred and

<sup>146</sup> Madox Hist. Excheq.

<sup>147</sup> Id. ibid.

forty-six silver pennies for one pound, instead of two hundred and forty pennies, which made a nominal pound. The six silver pennies extraordinary were called *the increment*; and this way of paying was called paying *ad scalam*, and was an easy and amicable method of adjusting the difference between the legal and real weight of coins.<sup>148</sup>

When the coins presented in payment at the exchequer appeared to be so much diminished that the ordinary increment would not make up the deficiency, they were put into the scales, and taken by weight, without any regard to number. This was called payment *ad pensum*, and was certainly the most just.<sup>149</sup>

But as coins might be defective in fineness as well as in weight, the receivers at the exchequer sometimes melted a few of them by way of trial, and calculated the value of the whole, according to the issue of that trial. This was called payment by *combustion*; and when a quantity of coins had undergone this trial, they were said to be *blanched*. To prevent the trouble of melting, a certain allowance, as one shilling in the pound, was sometimes offered, and accepted, to make up the deficiency in fineness<sup>150</sup>. There were proper officers in the exchequer for performing these operations, such as a *pesour* for weighing, and a *fusor* for melting the coins that were to be

<sup>148</sup> Madox Hist. Excheq. ch. 9. p. 187.

<sup>149</sup> Id. ibid.

<sup>150</sup> Id. ibid.

tried;

tried; and these officers were furnished with proper instruments and conveniences for their respective works.<sup>151</sup>

Manner of payments settled.

It will readily occur to every reader, that these different modes of payment made a very essential difference both to the debtor and creditor, especially in large sums; because it required a greater number of the same kind of coins to pay the same debt in one way than another. For this reason in making bargains, and settling the rents of farms, &c. it was usual to stipulate in which of these ways the money was to be paid, by tale, by scale, by weight, or by combustion.<sup>152</sup>

Comparative value of money.

If the same nominal sum of money had always contained the same quantity of the precious metals, of the same fineness, we might easily and certainly have discovered the comparative value of money, and expence of living, at any two periods, only by comparing the nominal prices of labour and commodities at these different times. But this hath not been the case. The same nominal sum of money, as a pound, a mark, a shilling, &c. hath at some periods contained a greater, and at others a smaller quantity of silver; to say nothing of its different degrees of fineness. In order therefore to discover the comparative value of money, and expence of living, at any two periods, two things must be taken into the account: 1st, The quantity of

<sup>151</sup> Madox Hist. Excheq. ch. 9. p. 197.

<sup>152</sup> Id. ibid,

silver contained in the same nominal sum at each of these periods; and, 2ndly, the efficacy or power of the same quantity of silver in purchasing labour and commodities of all kinds at each period.

Any nominal sum of money, or number of pounds, marks, or shillings, in the period we are now delineating, contained nearly thrice as much silver, as the same nominal sum, or number of pounds, marks, or shillings, contain at present. Whenever therefore we meet with any sum of money, or number of pounds, marks, or shillings, in the histories or records of this period, said to be the price of any commodity, we must multiply it by three to discover how many of our pounds, marks, or shillings, it contained. Thus, for example, we are told by several of our ancient historians, that there was so great a scarcity of corn in England, A.D. 1126., that a quarter of wheat sold for six shillings, that is, for eighteen shillings of our money.<sup>153</sup>

The same nominal sum of money not only contained a much greater quantity of silver than it doth at present, but the same quantity of silver was also much more valuable than it is at present. It is difficult, if not impossible, to discover the difference in this respect with certainty and exactness. This difficulty is occasioned by two things: 1. because we are not sufficiently informed of the common prices of the most

The same nominal sum contained thrice the quantity of silver.

Same quantity of silver more valuable.

<sup>153</sup> Hen. Hunt. p. 219. R. Hoveden. Annal. p. 274.

necessary and useful commodities, particularly of corn, in this distant period; 2. because the prices of some commodities, as of books, silks, and spices, bore a much higher proportion than the prices of some others, as of corn, cattle, and wine, to the prices of the same commodities in the present times. Accordingly we find, that the most ingenious and best-informed writers have entertained very different sentiments on this subject; some estimating the value or efficacy of any given weight of silver coins in the eleventh and twelfth centuries, to the value or efficacy of the same weight of our silver coins at present, to have been in the proportion of ten to one, and some estimating it to have been only in the proportion of five to one<sup>154</sup>. That is to say, some of these writers think, that a quantity of silver coins, of an equal weight with one of our crown-pieces, would have purchased ten times as much labour, meat, drink, and clothing, in the eleventh and twelfth centuries, as one of our crown-pieces can purchase at present, while others of them think that it would have purchased only five times as much.

The same  
quantity  
of silver  
five times  
the value  
it is at  
present.

If we could discover the average price of corn in the times we are now examining, we might determine this question with tolerable certainty; because the price of corn hath a considerable influence on the price of labour, and the expence

<sup>154</sup> Mr. Hume's History of England, vol. i. p. 170. edit. 1762.  
Lord Lyttelton's History of Henry II. vol. i. page 406. octavo edit.  
1769.

of living. The historians of this period represent it as a great dearth, or rather as a famine, when wheat was sold for six of their shillings (containing as much silver as eighteen of our shillings) the quarter. “ This year, A.D. 1126., (says Henry of Huntingdon) was the greatest dearth in our times, when a quarter of wheat was sold for six shillings<sup>155.</sup>” If we suppose the same quantity of silver to have been ten times as valuable then as it is now, this makes the dearth, A.D. 1126., to have been as great as it would be at present, if wheat was sold for nine pounds the quarter, or £1 : 2 : 6 the bushel : a dearth that would be quite ruinous and insupportable. But if we suppose the value or efficacy of the same quantity of silver to have been only five times as great then as it is now, this makes the dearth, A.D. 1126., to have been as great as it would be at present if a quarter of wheat was sold for £4. 10s., or a bushel for 11s. 3d. a dearth sufficiently distressful, and of which we have few examples. We can hardly imagine that our historians would have mentioned this dearth in such strong terms, if the price of corn had not then been the double of its common or average price. On the other hand, our historians speak of it as a proof of uncommon plenty and cheapness, when wheat was sold for two of their shillings (containing as much silver as six of our shillings) the quarter.

<sup>155</sup> Hen. Hunt. p.219.

" This year, A.D. 1244., (says Matthew Paris) " was so fruitful, that a quarter of wheat was " sold for two shillings "<sup>156</sup>." Upon the whole, it seems to be no improbable conjecture, that the most common price of wheat in the eleventh and twelfth centuries, was about three of their shillings, or nine of our shillings, the quarter. If we suppose the same quantity of silver to have been then ten times the value it is now, we must also suppose, that the most common or average price of wheat in our times is £4. 10s. the quarter: a supposition which we know to be very remote from truth. But if we estimate any given quantity of silver, as nine of our shillings, the average price of a quarter of wheat in the eleventh and twelfth centuries, to have been only five times the value of the same quantity of silver at present; this corresponds with the supposition, that the average price of a quarter of wheat, in modern times, is £2. 5s. or 5s. 7½d. the bushel. This is evidently not far from the truth. The justness of this supposition, that any given quantity or weight of silver coins, in the period we are now delineating, was equal in value and efficacy to five times the same weight or quantity of our silver coins at present, might, if it was necessary, be confirmed by many other arguments.<sup>157</sup>

<sup>156</sup> M. Paris, ad. an. 1244.

<sup>157</sup> See Lord Littleton's Hist. of Henry II. vol. I. p. 404—410. octavo.

According to this supposition, a person who had a nominal income of £10. a-year, in this period, received as much silver as one who hath a nominal income at present of £30. a-year; and could have lived as well, purchased as much labour, meat, drink, and clothing, as one who hath an income of £150. at present. A constant attention to these two things, the different quantity of silver in the same nominal sum of money, and the different value of the same quantity of silver, is necessary to our understanding the meaning of our ancient historians on many occasions, and particularly to our comprehending the real value of the several sums of money that are mentioned by them.

The materials of our commercial history, in this period, are not so perfect as to enable us to form a judgment, or even a guess, concerning the balance of trade between Britain and any one particular country. But we have good reason to believe, that the balance of trade, upon the whole, was in favour of Britain; or in other words, that the British exports were more valuable than the British imports; and that to make up the deficiency in the imports, Britain received a balance in cash or bullion.

This may be proved in this manner. We had no mines of gold or silver in this island, in those times, to supply the daily diminution of the national stock of the precious metals, by manufactures, — by the wear and loss of plate and coin,

— and by the great sums of money which were carried out of the kingdom from time to time ; yet this diminution was actually supplied, and the national stock was kept up, if not increased ; which must have been by cash or bullion brought home by the balance of trade.

No mines  
of gold or  
silver.

That no mines of gold or silver were wrought in Britain in this period, the silence of all our records, historians, and other writers, seems to be a sufficient proof. That the national stock of the precious metals must have been gradually diminished — by the quantities of them that were used in illuminating, gilding, and other manufactures, — and by the necessary wear and loss of plate and coins, is too evident to need any proof.

Much mo-  
ney carried  
out of Eng-  
land.

That very great sums of money were carried out of Britain in the course of this period, we have the clearest evidence. What prodigious sums of money were carried to Rome alone by the clergy, in purchasing their palls, prosecuting their appeals, and procuring favours of various kinds, to say nothing of the annual payment of Peter-pence ! Many of our writers in this period complain bitterly of the avarice of the pope and cardinals, and of the great sums of money which they extorted from the English clergy, and others <sup>158</sup>. Nay, King John, in a letter which

<sup>158</sup> P. Blefensi. Epist. 153. p. 143, 144. Epistolæ S. Thomæ Cant. 1. Ep. 179. p. 306. M. Paris, Vit. Abbat. p. 46. 89. 92.

he wrote to the Pope A.D. 1208., affirmed, that the court of Rome received more money from England than from all the other kingdoms on this side of the Alps<sup>159</sup>. The long residences of our kings upon the continent, and their frequent wars with the kings of France and other princes, must have occasioned a great drain of money from England. The unfortunate expedition of Richard I. into the Holy Land, together with his ransom from his captivity, carried out an incredible mass of money<sup>160</sup>. To say nothing of the great sums which the prelates, nobles, and others, who embarked in that expedition, carried with them, the King not only expended on it all his father's treasures, but all the money which he collected from the sale of every thing belonging to the crown for which he could find a purchaser.<sup>161</sup>

But notwithstanding all these drains, and others which might have been mentioned, England still continued to be rich in money. If the Jews, in particular, who were settled in Britain, had not been very rich in money, they could not have paid the heavy and frequent demands that were made upon them by government<sup>162</sup>. All our kings were rich in gold and silver; and great sums of ready money, as well as great quanti-

Much mo-  
ney still in  
England.

<sup>159</sup> M. Paris Hist. Ang. p. 156.

<sup>160</sup> Chron. J. Brompt. col. 1162. Knyghton, col. 2402.

<sup>161</sup> W. Neubrigen, l. 4. c. 5.

<sup>162</sup> Madox Hist. Excheq. chap. 7.

ties of plate and jewels, were found in their repositories when they died<sup>163</sup>. Many subjects also, particularly among the prelates, possessed great quantities of the precious metals, both in coin and plate. No less than forty thousand marks, equal in quantity of silver to £80,000., and in value or efficacy to £400,000. of our money, were found in the castle of the Devizes, when it was taken from Roger Bishop of Salisbury, A. D. 1139.<sup>164</sup> Eleven thousand pounds of silver, and three hundred pounds of gold coins, besides great quantities of gold and silver plate, were found in the treasury of Roger Archbishop of York at his death, A. D. 1181.<sup>165</sup> The silver coins alone in this archiepiscopal treasury were equal in value to £165,000. of our present money; and if we reckon one pound of the gold to have been worth only nine pounds of silver, the gold coins were equal in efficacy to £40,500 of our money. Many other examples, if it was necessary, might be given, from the genuine monuments of this period, of particular persons, and of societies, who possessed great quantities of the precious metals, both in coins and plate. In a word, there is sufficient evidence, that though great sums of money were annually carried out of England, to Rome, to

<sup>163</sup> Hoveden Annal. p. 374. Benedict. Abbas, tom. 2. p. 553. M. Paris, p. 107.

<sup>164</sup> J. Brompt. col. 1027. Chron. Gervas, col. 1346.

<sup>165</sup> M. Paris Hist. Angl. p. 97.

Normandy, and other places, the national stock of gold and silver was not diminished, but rather increased, in the course of this period. This cannot be accounted for, but by supposing, that considerable quantities of coin and bullion were imported by the merchants as the balance of their trade with foreign nations. All the gold coins, in particular, which appear to have been numerous, must have been imported, as no gold was coined in Britain in this period.



THE  
HISTORY.  
OF  
GREAT BRITAIN.

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BOOK III.

CHAP. VII.

*History of the Manners, Virtues, Vices, remarkable Customs, Language, Dress, Diet, and Diversions, of the people of Great Britain, from the landing of William Duke of Normandy, A.D. 1066., to the death of King John, A.D. 1216.*

NATIONS which have been long seated in the same country, and have had little intercourse with strangers commonly retain the same national characters, manners, and customs, through a long succession of ages. They become proud of their antiquity, fond admirers of their ancestors, and warmly attached to all their sentiments and practices; their follies, errors, and

Some nations tenacious of the customs of their ancestors.

and vices, not excepted. The inhabitants of Wales, for example, and of the greatest part of Scotland, the descendants of the ancient Britons and Caledonians, seem to have had the same national characters, manners, and customs, the same religion, laws, language, dress, diet, and diversions, with very little variation, for more than a thousand years. As all these have been already described at great length in this work, it will not be necessary to say much concerning them in this chapter, except to take notice of such singularities on any of these subjects as are mentioned for the first time by the writers of this period.

Manners  
of the  
Anglo-  
Saxons  
changed.

The manners, virtues, vices, remarkable customs, &c. of the Anglo-Saxons and Danes, who conquered and peopled the best and greatest part of Britain in the preceding period, have been also delineated.<sup>1</sup> If these nations had continued in the peaceable possession of their country, they would probably have retained the same national character and manners, with some slight and almost insensible alterations, in the present period. But by their subjection to and intermixture with their Norman conquerors, very great changes were made in their manners, customs, and ways of living, which claim our attention in this part of our work.

Manners  
of the  
Normans.

But as the Normans first appeared upon the stage, and became the governing and predomi-

<sup>1</sup> See vol. 2, chap. 7. Vol. 4, chap. 7. <sup>2</sup> See vol. 4, chap. 7.

nant people of England, in our present period, their manners, &c. must be the principal subject of this chapter.

Those destructive bands of piratical adventurers which issued from Scandinavia, and infested all the seas and coasts of Europe, in the ninth, tenth, and eleventh centuries, were sometimes called *Saxons*, sometimes *Danes*, and sometimes *Normans*. “From the fury of the Normans, Good Lord deliver us,” was then a petition in the litanies of all the nations, which dreaded the depredations of those northern plunderers, who were called *Normans* from the situation of the countries from whence they came<sup>3</sup>. “In those days (says the author of the Saxon Chronicle, A. D. 787.) came the first three ships of Northmen from Herethaland. These were the first ships of Danishmen that came into England.”

Name of  
the Nor-  
mans.

About the beginning of the tenth century, a very numerous band, or rather army, of these northern adventurers, under the conduct of Rollo, a Norwegian chieftain, invaded, and almost desolated the fine province of Neustria. This province, extending from the river Ept to the confines of Britanny, was at length granted, A. D. 911., by Charles the Simple, King of France, to Rollo and his followers, on condition that they became Christians, and that they held the ceded territories of the crown of

Origin of  
the Nor-  
mans.

<sup>3</sup> See vol. 4. p. 314. note. — Chron. Saxon. p. 64.

France<sup>5</sup>. With these conditions they complied ; and having obtained possession of so fine a country, they abandoned their former roving and predatory course of life, and began to rebuild the cities which they had destroyed, and to cultivate the fields which they had desolated. From that time the country which had formerly been called *Neustria*, was called *Normandy*, from its new masters ; who were called *Normans*, because all the different countries from whence they came lay to the north of France.

Settled in  
France  
and be-  
came  
French-  
men.

Duke Rollo, and his Normans, though they had been as great barbarians as any of the other swarms of savages which had issued from Scandinavia, gradually became a civilized and polished people, after their settlement in Normandy. This was owing to several causes. The Christian religion, which they then embraced, was of a more humane and peaceful spirit than the barbarous superstition in which they had been educated — The mild climate and fertile soil of Normandy inspired them with the love of home, and of a quiet and settled way of life — Their intercourse and intermarriages with the French inhabitants, made them adopt the manners, customs, language, and dress of that people. This was so much the case, that the Normans, when they invaded England, called themselves, and were called by others, Frenchmen. They are so

<sup>5</sup> W. Gimiticens. l. 2. c. 17. Dudo Sancti Quint. p. 84. P. Walsingham Ypodigma Neustriae, p. 417.

called

called in the laws of William the Conqueror, and in the charters of that prince and of his successors for a century after the conquest<sup>6</sup>. In a word, the manners, customs, virtues, vices, language, dress, diet and diversions of the predominant people of England, through the greatest part of this period, were exactly the same with those of persons of the same rank on the continent of France. A very brief delineation of these must now be given.

There is hardly any thing more remarkable in the manners and customs of this period, than the sovereign contempt in which the name of an Englishman was held, and the cruel indignities with which the persons of Englishmen were treated. William of Poictou, in describing the battle of Hastings, at which he was present, frequently denominates the English,—*the barbarians*. “The cries (says he) of the Normans on one side, and of the barbarians on the other, were drowned by the clashing of arms, and the groans of the dying.” After that fatal battle, and a few unfortunate revolts, the native English sunk into great contempt and wretchedness<sup>7</sup>. Their estates were confiscated, their persons insulted, their wives and daughters dishonoured before their eyes. “The Normans (says an ancient historian) were astonished at their own

Contempt  
and ill-  
treatment  
of the  
English.

<sup>6</sup> Seldeni Spicilegia ad Eadmerum, p. 193. Charta Henrici II. in libro Rubro Scaccarii.

W. Pictaviens. a Duchen. edit. p. 202. <sup>7</sup> Ingulph. Hist. p. 70.

“ power,

“ power, became as it were mad with pride, “ and imagined that they might do whatever “ they pleased to the English. Young ladies “ of the highest rank and greatest beauty having “ lost their fathers, brothers, and protectors, “ and being violated by armed ruffians, called “ upon death to come to their relief<sup>8</sup>. ” In a word, the name of an Englishman became a term of reproach. “ The Normans (says Brompton) “ reduced almost all the English to such a “ state of servitude, that it was a reproach to “ be called an Englishman<sup>9</sup>. ” This insolence of the Normans, and depression of the English, continued almost to the very conclusion of our present period. For we are told by Giraldus Cambrensis, who flourished in those times, that in the reign of Richard I. when a Norman was accused of any thing which he thought dishonourable, and chose to deny, he commonly said,—*What! do you imagine I am an Englishman?*—or—*May I become an Englishman if I did it!*<sup>10</sup> By slow degrees, however, the animosity between the Normans and the English abated, and they coalesced into one powerful people, who have long been, and still are, justly proud of the honourable name of *Englishmen*.

**Method of education.** A new mode of education was one of the many changes introduced into England by the Normans. For the Conqueror having formed

<sup>8</sup> Orderic. Vital. 523.

<sup>9</sup> J. Brompt. p. 962.

<sup>10</sup> Anglia Sacra, tom. 2. p. 406.

the design of extirpating the English language, and making the French the vulgar tongue of all his subjects, commanded, that the children of the English should be taught the first rudiments of grammar at school in French, and not in English<sup>11</sup>. This mode of education, introduced by the Normans with a design to establish their own language on the ruins of the Anglo-Saxon, continued more than three centuries after the conquest. This we learn from Trevisa, a writer who flourished in the fourteenth century, whose testimony we shall give in his own words: "For John Cornwaile, a master of grammar, changed the lore in grammar scole, and construction of Frenche into Englische; and Richard Pin-  
cliche lerned the manere techynge of him, as other men of Peneriche. So that now, the yere of our Lorde a thousand three hundred and four score and five, and of the seconde kyng Richard, after the conquest nyne, and alle the gramere scoles of Engilond, children leveth Frenshe, and contrueth and lerneth an Englische, and haveth thereby advantage in oon side, and disadvantage in another side. Here advantage is, that they lerneth her gramer in lasse tyme, than children were woned to doo; disadvantage is, that now children of gramer scole conneth na more Frenshe than can her lift heele, and that is harm for him, and they schulle passe the see,

<sup>11</sup> Ingulph. Hist. p. 71.

" and

" and travaille in strange landes, and in many  
 " other places. Also gentilmen havith now  
 " moche left for to teche here children  
 " Frenche."<sup>12</sup> Thus the long struggle between  
 the French and English languages, after it had  
 continued more than three centuries, drew to-  
 wards a conclusion, and victory began to declare  
 in favour of the English.

Introduc-  
tion of  
chivalry.

The very singular spirit of chivalry which be-  
 gan to display itself about the beginning of this  
 period, and was introduced into England by the  
 Normans, gave a new turn to the education of  
 the young nobility and gentry, in order to fit  
 them for obtaining the honour of knighthood,  
 which was then an object of ambition to the  
 greatest princes<sup>13</sup>. Those noble youths who  
 were designed for the profession of arms and the  
 honours of knighthood, were early taken out of  
 the hands of the women, and placed in the fa-  
 mily of some great prince or baron, who was also  
 esteemed an expert and valorous knight.

Pages or  
valets.

At their first entrance into this school of chi-  
 valry, they acted in the capacity of pages or  
 valets<sup>14</sup>. For those names which are now appro-  
 priated to domestic servants, were then some-  
 times given to the sons and brothers of kings<sup>15</sup>.  
 In this station they were instructed in the laws of

<sup>12</sup> Hickefi Thesaur. tom. I. Prefat. p. 17, 18.

<sup>13</sup> Simeon Dunelm. p. 277. Ailredi Abbat. Rieval. p. 347.

<sup>14</sup> Memoire sur L'Ancienne Chevalerie, par M. de Sainte Paylaye, tom. I. p. 6.

<sup>15</sup> Les Mœurs de François, par Le Gendre, p. 63.

courtesy

courtesy and politeness, and in the first rudiments of chivalry, and martial exercises; to fit them for shining in courts, at tournaments, and on the field of battle. Henry II. received this part of his education in the family of his uncle, Robert Earl of Gloucester, who was one of the most accomplished knights of the age in which he flourished.<sup>16</sup>

After they had spent a competent time in the station of pages, they were advanced to the most honourable rank of esquires. Then they were admitted into more familiar intercourse with the knights and ladies of the court, and perfected in dancing, riding, hawking, hunting, tilting, and other accomplishments necessary to fit them for performing the offices, and becoming the honours, of knighthood, to which they aspired<sup>17</sup>. In a word, the courts of kings, princes, and great barons, were a kind of colleges of chivalry, as the universities were of the arts and sciences; and the youth in both advanced through several degrees to the highest honours.

The exercises of the youth in these schools of chivalry, are thus described by Fitz-Stephen, who flourished in the reign of Henry II. “ Every Sunday in Lent, immediately after dinner, crowds of noble and sprightly youths, mounted on war horses, admirably trained to perform

Their exercises described.

<sup>16</sup> Gervas Chron. p. 1358. W. Malmf. p. 98.

<sup>17</sup> Memoires sur Chevalerie, part 1.

“ all their turnings and evolutions, ride into the  
 “ fields in distinct bands, armed with lances and  
 “ shields, and exhibit representations of battles,  
 “ and go through all their martial exercises.  
 “ Many of the young nobility, who have not  
 “ yet received the honour of knighthood, issue  
 “ from the king’s court, and from the houses  
 “ of bishops, earls, and barons, to make trial  
 “ of their courage, strength and skill in arms.  
 “ The hope of victory rouses the spirits of these  
 “ noble youths; — their fiery horses neigh and  
 “ prance, and champ their foaming bits. At  
 “ length the signal is given, and the sports  
 “ begin. The youths, divided into opposite  
 “ bands, encounter one another. - In one place  
 “ some fly and others pursue, without being  
 “ able to overtake them. In another place,  
 “ one of the bands overtakes and overturns the  
 “ other.”<sup>18</sup>

Sworn  
brothers.

The noble youth in those schools of chivalry,  
 sometimes contracted the most sincere and lasting  
 friendships, and became what they then called  
*sworn brothers*. Those who were sworn brothers,  
 cemented their friendship with vows of inviolable  
 attachment to each other, in peace and war, in  
 prosperity and adversity; — that they would share  
 the same dangers, and divide equally all their  
 acquisitions<sup>19</sup>. Of this custom it may not be  
 improper to give one example. Robert de Oily,

<sup>18</sup> W. Stephan. Descript. Lond. a J. Sparke, edit. 1723. p. 7, 8.

<sup>19</sup> Du Cange Gloss. voc. *Fratres conjurati*.

and

and Roger de Ivery, two young gentlemen who came into England with the Duke of Normandy, were sworn brothers. Some time after the conquest, King William granted the two great honours of Oxford and St. Waleries to Robert de Oily, who immediately bestowed one of them, that of St. Waleries, on his sworn brother Roger de Ivery<sup>20</sup>. A custom similar to this prevailed in Wales. The princes of that country placed one of their sons in the family of one chieftain, and another in the family of another, where they were educated with the sons of these chieftains, who became the sworn brothers of the young prince who had been educated with them. This produced frequent civil wars, each of the great families endeavouring with all their power to raise their sworn brother and favourite prince to the government.<sup>21</sup>

It was also in these schools of chivalry, the courts of kings, princes, and great barons, that the youth of this period imbibed that spirit of romantic gallantry and devotion towards the ladies, which was esteemed the most necessary qualification of a true and gentle knight. These courts were the schools in which the ladies, as well as the gentlemen, received their education. Both were often the wards of the prince or great baron; and while those of the one sex were educated with his sons under his own eye, those of

The spirit  
of roman-  
tic gal-  
lantry.

<sup>20</sup> Kennet's Parochial Antiquities, p. 57.

<sup>21</sup> Girald. Cambren. apud Angl. Sacra, tom. 2. p. 459.

the other sex were educated with his daughters under the inspection of his lady. In this situation it was natural for the young persons of each sex to cultivate those qualities which would render them most acceptable to the other. These were gentleness, modesty, and virtue, in the ladies; courtesy, valour, and gallantry, in the gentlemen. Accordingly we are told, that in these schools of chivalry, the youth were carefully instructed in the arts of love, and in all the rules and punctilio<sup>s</sup> of a virtuous and honourable gallantry<sup>22</sup>. To render these lessons more effectual, the young gentlemen chose mistresses among the young ladies of the courts in which they resided, to whom they addressed all their vows, and practised all their arts of pleasing<sup>23</sup>. They became their constant attendants in assemblies, their champions at tournaments, the protectors of their persons, fame, and fortune, and the avengers of their wrongs.

## Knights.

When the youth in these schools of chivalry had spent seven or eight years in the station of esquires, they received the honour of knighthood, most commonly from the hands of the prince, earl, or baron, in whose court they had spent their youth and received their education. That honour was preceded by various preparations, and accompanied with several pompous ceremonies; which are thus described by the best modern writers on this subject, who hath con-

\* Memoires sur la Chevalerie, part 1.

<sup>23</sup> Id. ibid.

firmed

firmed every article of his description by the most solid proofs. " Severe fastings,—nights spent in prayer in a church or chapel,—the sacraments of penance, and the eucharist received with devotion,—bathing and putting on white robes, as emblems of that purity of manners required by the laws of chivalry,—confession of all their sins,—with serious attention to several sermons, in which the faith and morals of a good Christian were explained, were the necessary preparations for receiving the honour of knighthood. When a candidate for that honour had performed all these preliminaries, he went in procession into a church, and advanced to the altar, with his sword slung in a scarf about his neck. He presented his sword to a priest; who blessed it, and put it again into the scarf, about the neck of the candidate; who then proceeded in a solemn pace, with his hands joined to the place where he was to be knighted. This august ceremony was most commonly performed in a church or chapel, in the great hall of a palace or castle, or in the open air. When the candidate approached the personage by whom he was to be knighted, he fell on his knees at his feet, and delivered to him his sword. Being asked for what end he desired the honour of knighthood? and having returned a proper answer, the usual oath was administered to him with great solemnity. After this, knights and ladies, who assisted at the cere-

“ mony, began to adorn the candidate with the  
 “ armour and ensigns of knighthood. First,  
 “ they put on his spurs, beginning with the left  
 “ foot; next his coat of mail; then his cuirafs;  
 “ afterwards the several pieces of armour for his  
 “ arms, hands, legs, and thighs; and, last of  
 “ all, they girt him with the sword. When the  
 “ candidate was thus *dubbed*, as it was called,  
 “ the king, prince, or baron, who was to make  
 “ him a knight, descended from his throne or  
 “ seat, and gave him, still on his knees, the  
 “ accolade, which was three gentle strokes, with  
 “ the flat of his sword on the shoulder or with  
 “ the palm of his hand on the cheek; saying at  
 “ the same time,— *In the name of God, St. Mi-*  
*“ chael, and St. George, I make thee a knight; be*  
*“ thou brave, hardy, and loyal.* The new knight  
 “ was then raised from the ground, his helmet  
 “ put on, his shield and lance delivered to him  
 “ and his horse brought; which he mounted  
 “ without using the stirrup, and performed se-  
 “ veral courses, displaying his dexterity in horse-  
 “ manship, and in the management of his arms,  
 “ amidst the acclamations of great multitudes  
 “ of people, who had assembled to behold the  
 “ ceremony<sup>24</sup>. Could any institution be better  
 adapted to inflame the ardour of the young nobi-  
 lity in acquiring the accomplishments necessary  
 to obtain an honour which was courted by the  
 greatest monarchs?

<sup>24</sup> Memoires sur l'ancienne Chevaliere, par M. de la Curne de  
Sainte Paylaye, tom. i. p. 72, &c.

The virtues and endowments that were necessary to form an accomplished knight in the flourishing times of chivalry, were such as these, — beauty, strength, and agility of body, — great dexterity in dancing, wrestling, hunting, hawking, riding, tilting, and every other manly exercise; — the virtues of piety, chastity, modesty, courtesy, loyalty, liberality, sobriety; and above all, an inviolable attachment to truth, and an invincible courage.

Qualities  
necessary  
to knight-  
hood.

To perform the duties of a good and valiant knight, not one of these virtues and endowments was unnecessary. For he was not only to be the delight and ornament of courts by his gallantry and politeness, but he was bound by oath — to serve his prince, — to defend the church and clergy, — to protect the persons and reputations of virtuous ladies, — and to rescue the widow and orphan from oppression, with his sword, at the hazard of his life<sup>25</sup>. Few, we may presume, possessed all these qualifications, and performed all these duties in perfection. But still an institution so virtuous in its principles, and honourable in its ends, must have done much good, and prevented many evils. We have even reason to believe, that chivalry, which, under the name of knight errantry, hath long been an object of ridicule, was one of the happiest inventions of the ages in which it flourished.

Duties of  
a knight.

<sup>25</sup> Memoires sur l'ancienne Chevalerie, par M. de la Curne de Sainte Paylaye, tom. I. p. 72, &c.

Surnames.

The use of family-surnames, descending from father to son, seems to have been introduced into Britain by the Normans at the beginning of this period. For among the Anglo-Saxons, persons who bore the same Christian name, were distinguished from one another by descriptive epithets, as the black, the white, the long, the strong, &c., and these epithets were not given to their sons if they did not possess their properties<sup>26</sup>. Family-surnames, at their first introduction, like family-arms, were confined to persons of rank and fortune, who most commonly took their surnames from the castles in which they resided, or the estates which they possessed<sup>27</sup>. This is the true reason of the surnames of so many of the noble and honourable families in England, being the same with the names of certain towns, castles, and estates in Normandy, France, and Flanders. The ancestors of these families were lords of these estates and castles; and being proud of their native country and family possessions, they retained their names after they had settled in England, and transmitted them to their posterity<sup>28</sup>. It was not till after the conclusion of this period that surnames were universally assumed by the common people.

Coat-ar-  
mour.

The use of coats of arms, distinguishing one great family from another, and descending from father to son, appears to have been introduced

<sup>26</sup> See vol. 4. chap. 7. p. 351. Verstigan, ch. 8.

<sup>27</sup> Camden's Remains, p. 113.

<sup>28</sup> Id. ibid.

into Britain about the same time with family-surnames, and by the same noble Normans. The Anglo-Saxon warriors adorned their shields and banners with the figures of certain animals, or with other devices; but in doing this every particular person followed his own fancy, without any regard to the figures or devices that had been borne by his ancestors<sup>29</sup>. But about the time of the first croisades, greater attention began to be paid to these devices, when it was discovered that they might be useful as well as ornamental. “About this time (says one of our best antiquaries) the estimation of arms began ‘in the expedition to the Holy Land; and afterwards by little and little became hereditary; when it was accounted most honourable to carry those arms which had been displayed in the Holy Land, in that holy service against the professed enemies of Christianity<sup>30</sup>.’” Jousts and tournaments, the favourite diversions of the great and brave in this period, contributed not a little to render arms hereditary. For a noble son, proud of the honours that had been gained by an illustrious father in those fields of fame, delighted to appear with the same devices on his shield at the like solemnities<sup>31</sup>. It was only, however, by slow degrees, and in the course of almost two centuries, that

<sup>29</sup> Camden’s Remains, p. 206. Les Mœurs de François, par M. le Gendre, p. 88.

<sup>30</sup> Camden’s Remains, p. 208.

<sup>31</sup> Le Gendre, p. 88.

this

this custom became constant and universal even in noble families.

Norman magnificence.

The many noble Normans who settled in England after the conquest, introduced a more magnificent and splendid manner of living than had been known among the Anglo-Saxons. This we learn from a writer who flourished soon after the conquest, and had the best opportunities of being well informed; who tells us, that the English nobles were universally addicted to excessive drinking, and spent their ample revenues in a sordid manner, in mean and low houses; but that the Norman barons dwelt in stately and magnificent palaces, kept elegant tables, and were very splendid in their dress and equipage<sup>32</sup>. William Longchamp, Bishop of Ely, had no fewer than a thousand, some contemporary writers say fifteen hundred, horsemen in his retinue: and to furnish his table, says a prelate who was his contemporary, all the different kinds of beasts that roam on the land, of fishes that swim in the waters, and of birds that fly in the air, were collected<sup>33</sup>. The Norman kings and nobles displayed their taste for magnificence, in the most remarkable manner, at their coronations, their royal feasts of Christmas, Easter and Whitsuntide, and at their tournaments, which were all celebrated with incredible expence and pomp.<sup>34</sup>

<sup>32</sup> W. Malmf. l. 3. p. 57. col. 2.

<sup>33</sup> J. Brompt. p. 1193. Benedict. Abbas, p. 701. Anglia Sacra, tom. 2. p. 407.

<sup>34</sup> M. Paris, p. 108.

One thing that contributed very much to swell the retinues of the Norman kings, prelates, and nobles, was the necessity they were under of carrying with them not only their provisions, but even a great part of the furniture of their houses, in their journeys. Peter of Blois, who was chaplain to Henry II., in his curious description of a court-life, paints the prodigious crouds, confusion, and bustle, with which the royal progresses were attended, in very strong colours.

Great re-tinues of  
the Nor-man kings  
and no-bles.

" When the King sets out in the morning, you see multitudes of people running up and down " as if they were distracted ; horses rushing " against horses ; carriages overturning car- " riages ; players, whores, gamesters, cooks, con- " fectioners, mimics, dancers, barbers, pimps, " and parasites, making so much noise, and, in a " word, such an intolerable tumultuous jumble " of horse and foot, that you imagine the great " abyſs hath opened, and that hell hath poured " out all its inhabitants <sup>35</sup>." William Fitz- Stephen presents us with a very curious description of the retinue and parade with which the famous Thomas Becket used to travel, when he was chancellor of England. " He was attended " with about two hundred knights, esquires, " young noblemen, pages, clerks, and officers of " his household, who, together with their attend- " ants, were well armed, dressed, and mounted, " every one according to his rank. He had in

<sup>35</sup> P. Bleſſenſ. Epift. 14.

" his

“ his train eight waggons, each drawn by five  
 “ of the strongest horses ; two of these waggons  
 “ contained his ale, one contained the furniture  
 “ of his chapel, another the furniture of his  
 “ chamber, and another the furniture of his  
 “ kitchen ; the other three were filled with pro-  
 “ visions, clothes, and other necessaries. He  
 “ had besides twelve pack-horses, who carried  
 “ trunks, containing his money, his gold and  
 “ silver plate, his books, his apparel, and the  
 “ ornaments of the altar. To each of the wag-  
 “ gons was chained a fierce and terrible mastiff,  
 “ and on each of the pack-horses sat an ape or a  
 “ monkey<sup>36</sup>. ” In the expedition of Henry II.  
 against Thoulouse, his chancellor Becket had  
 seven hundred knights in his pay, who dined  
 every day at his own table, or at other tables  
 provided for them.<sup>37</sup>

Some  
things in  
their way  
of living  
mean and  
fordid.

But in the midst of all this magnificence in which the Norman kings and nobles lived, there were some things in their domestic œconomy, which must appear to us exceedingly mean and fordid. Several estates in England were held by the tenure of finding clean straw for the King’s bed, and litter for his chamber, as often as he lodged at a certain place<sup>38</sup>. Fitz-Stephen, in his life of Thomas Becket, mentions this as a proof of his elegant manner of living,— “ That  
 “ he commanded his servants to cover the floor

<sup>36</sup> W. Stephaned. *Vita S. Thomæ*, p. 20.

<sup>37</sup> Id. *ibid.* p. 23.

<sup>38</sup> Blount’s *Fragmenta Antiquitatis*, p. 28. Camd. Brit. vol. I.

“ of his dining-room with clean straw or hay  
 “ every morning in winter, and with fresh bul-  
 “ rushes and green branches of trees every day  
 “ in summer, that such of the knights who  
 “ came to dine with him, as could not find  
 “ room on the benches, might sit down and  
 “ dine comfortably on the floor, without spoil-  
 “ ing their fine clothes.”<sup>39</sup>

The custom of covering up their fires about Curfew  
 sun-set in summer, and about eight or nine at bell.  
 night in winter, at the ringing of a bell called  
 the *couver-feu*, or *curfew-bell*, is supposed by  
 some to have been introduced by William I.,  
 and imposed upon the English as a badge of  
 servitude. But this opinion doth not seem to be  
 well founded. For there is sufficient evidence,  
 that the same custom prevailed in France, Spain,  
 Italy, Scotland, and probably in all the other  
 countries of Europe, in this period; and was  
 intended as a precaution against fires, which  
 were then very frequent, and very fatal, when  
 so many houses were built of wood.<sup>40</sup> Henry I.  
 restored the use of lamps and candles at court  
 in the night, after the ringing of the couvre-feu  
 bell, which had been prohibited by his prede-  
 ceessor William Rufus.<sup>41</sup>

Piety, or a regard to religion, may not im-  
 properly be placed at the head of the national  
 virtues of the Anglo Normans. The best of our

Virtues of  
 the Anglo-  
 Normans.  
 Piety.

<sup>39</sup> W. Stephaned, p. 14.

<sup>40</sup> Observations on the Statutes, p. 116. Du Cange Gloss. voc.  
*Ignetegium*.

<sup>41</sup> W. Malmf. p. 88.

ancient historians make great complaints of the decay of piety among the Anglo-Saxons immediately before the conquest, and ascribe that great calamity to the wrath of heaven against them on that account<sup>42</sup>. Nothing can exhibit a stronger picture of the different characters of the two nations in this respect, than the different behaviour of the Norman and Saxon armies in the night before the famous battle of Hastings. The Normans spent that awful night in confession, prayer, and other acts of devotion ; while the English wasted it in noise and riot<sup>43</sup>. “ Religion (says William of Malmesbury), which was almost extinct in England, revived after the settlement of the Normans. Then you might have seen magnificent churches and monasteries arising in every village, town, and city. In a word, so much did religious zeal flourish in our country, that a rich man would have imagined he had lived in vain, if he had not left some illustrious monument of his pious munificence<sup>44</sup>.” The religion, however, of the Anglo-Normans, in this period, was not of the most pure and rational kind. On the contrary, it consisted chiefly in building, adorning, and endowing churches, in performing certain superstitious ceremonies, in believing all the opinions, and obeying all the commands, of the clergy.

<sup>42</sup> W. Malmsf. p. 57. col. 2. M. Paris, p. 4. col. 2.

<sup>43</sup> W. Pictaven. p. 201. Oderic Vital. p. 501.

<sup>44</sup> W. Malmsf. p. 57. col. 2.

There

There was no virtue of which the Normans who settled in England were so proud, and to which they made such high pretensions, as martial courage and valour. This they claimed in a degree peculiar to themselves, above all other nations. The speech of William the Conqueror to his army, before the battle of Hastings, was in this boastful strain : “ I address you, O Normans ! the most valiant of all nations, not as doubting, but as secure of victory, which neither force nor fortune can wrest out of your hands. O ye bravest of mortal men ! what availed the King of France at the head of all the nations between Lorrain in Spain, against your ancestor Hafting, who seized as much of France as he pleased, and kept it as long as he thought proper ? ” &c. &c. <sup>45</sup> Almost a century after the conquest, the Normans still considered themselves as a distinct people from the English, and had lost nothing of their high opinion of their own valour. This appears from the speech of that venerable warrior Walter Espec, before the battle of the Standard : Why should we despair of victory, though we are few in number ? Hath not the Almighty bestowed victory upon our nation, as its peculiar property ? How often have small bodies of brave Normans obtained glorious victories over great armies of the people of France, Maine, Anjou, and Aquitaine ? Did not our own fathers

Valour of  
the Anglo-  
Normans.

“ conquer this island at one blow, on which the  
 “ invincible Julius bestowed so much time and  
 “ blood? We have seen, my brave Normans,  
 “ we ourselves have seen, the King of France,  
 “ and his whole army, flying before us, many  
 “ of his greatest barons slain, and others taken  
 “ prisoners. Who were the conquerors of  
 “ Sicily, Apulia, and Calabria, but the valiant  
 “ Normans?” &c. &c.<sup>46</sup>

## Sobriety.

Sobriety may not improperly be reckoned among the national virtues of the Anglo-Normans, especially at the time of their settlement in England. The most ancient of our historians who had opportunities of conversing with the Normans and English, before they were so blended together as to form one people, commend the former for their sobriety, as much as they condemn the latter for their intemperance. “ The English (says William of Malmesbury) were much addicted to excessive eating and drinking, in which they sometimes spent both day and night, without intermission. The Normans were very unlike them in this respect, being delicate in the choice of their meats and drinks, but seldom exceeding the bounds of temperance. By this means the Normans lived with greater elegance, and at less expense, than the English<sup>47</sup>. ” The custom, however, of drinking to pegs, which had been

<sup>46</sup> Ethelredus de bello Standardi, p. 339, 340.

<sup>47</sup> W. Malms. l. 3. p. 57, col. 2.

introduced by a law of Edgar the Peaceable, still continued in this period<sup>48</sup>. For by a canon of the council of Westminster, held A. D. 1102., the clergy are prohibited to frequent ale-houses, or to drink to pegs<sup>49</sup>. It appears also, that before the conclusion of this period, many of the Normans had adopted the manners of the English, and departed from the sobriety of their ancestors. “ When you behold (says Peter of Blois) our barons and knights going upon a military expedition, you see their baggage-horses loaded, not with iron but wine, not with lances but cheeses, not with swords but bottles, not with spears but spits. You would imagine they were going to prepare a great feast rather than to make war<sup>50</sup>. There are even too many who boast of their excessive drunkenness and gluttony, and labour to acquire fame by swallowing great quantities of meat and drink.”<sup>51</sup>

The point of honour was very much respected by the Normans in this period, and they paid much regard to their plighted faith, especially to the ladies. A most remarkable example of this occurs in the history of King Stephen. The Empress Maud, from whom Stephen had usurped the crown of England, was besieged by him in Arundel castle, the residence of the queen-

Gallantry  
and regard  
to the  
point of  
honour.

<sup>48</sup> See vol. 4. p. 341.

<sup>49</sup> Eadmerus, p. 67.

<sup>50</sup> P. Bleſſens. Ep. 24. p. 146. col. 2.

<sup>51</sup> Id. Ep. 86. p. 130. col. 1.

dowager, A.D. 1139., and might easily have been taken prisoner. But Stephen was prevailed upon to respect the ties of blood, and the honour due to ladies of so high a rank. He did not push the siege, but gave his word of honour to the Empress, that he would cause her to be conducted in safety to the castle of Bristol, the residence of Robert Earl of Gloucester, her natural brother and most powerful partizan. Though the Empress knew that Stephen had violated the most solemn oaths which he had taken to support her succession to the crown, she relied upon his word of honour, put herself under his protection, and was safely conducted to the castle of Bristol.

“ The King (says William of Malmesbury) gave  
 “ to his brother Henry Bishop of Winchester,  
 “ and Walleran Earl of Millent, the charge of  
 “ conducting the Empress; an office which no  
 “ gallant and true knight could refuse to perform  
 “ to his greatest enemy.”<sup>52</sup>

Wit and  
humour.

The Normans appear to have been a cheerful, witty, and facetious people, delighting much in innocent frolics and convivial jocularity. No qualities were more admired amongst them than those of wit and humour. It was to these qualities chiefly that King Stephen owed his popularity, and the success of his usurpation. “ Stephen,  
 “ when he was an earl (says William of Malmesbury, who was well acquainted with him),  
 “ gained the affections of the people to a degree

<sup>52</sup> W. Malmf. l.2. p.104.

“ that

" that can hardly be imagined, by the affability  
 " of his manners, and the wit and pleasantry of  
 " his conversation. He condescended sometimes  
 " to chat and joke with persons in very humble  
 " stations, and the nobility were in general  
 " charmed with him, and embraced his party<sup>53</sup>."

Our historians of this period have taken the trouble to record many of the frolics and repartees of our princes, prelates, and great men ; which is a sufficient proof that they were considered as matters of importance, and not unworthy of a place in history. Nay, so fond were the Normans of the innocent conflicts of wit and humour, that the greatest enemies, in the very heat of a siege, sometimes suspended their hostilities, in order to engage in a more harmless combat of banter and repartee. When one of the contending parties designed this, he appeared in sight of the other, dressed in white ; which was understood and accepted as a challenge to a trial of wit<sup>54</sup>. John of Salisbury censures, with great severity, the excessive fondness of his countrymen and contemporaries for professed wits and jesters, and reproaches them for spending too much time, and taking too much delight, in their company.<sup>55</sup>

The Normans seem also to have been a generous open-hearted people, capable of very noble acts of bounty and liberality. Their profuse

<sup>53</sup> W. Malmf. Hist. Novel. l. i. p. 101. col. 2.

<sup>54</sup> Orderic. Vital. p. 784.

<sup>55</sup> J. Sarisburien. Policrat. l. i. ch. 8. p. 38.

donations to the church are well known, and were certainly far too great and numerous. Few princes have had more to give, or were more liberal in their donations, than the Norman kings of England. To say nothing of the inestimable grants made by William I. to his followers, all his successors in this period displayed both their wealth and liberality at the three great festivals of Christmas, Easter, and Whitsuntide, every year, and on many other occasions. “ In the month of February, A.D. 1191. (says John Brompton), when Richard I. was at Messina in Sicily, he made a present of several ships to the King of France and his nobles. He also opened his treasures, and distributed to the earls, barons, knights, and esquires of the army, greater sums of money than any of his predecessors had ever distributed in one year.”<sup>56</sup>

Anecdote  
of Robert  
Duke of  
Norman-  
dy.

The same historian hath preserved the following curious anecdote, which may serve both as a proof and illustration of the wit, politeness, and generosity of the Normans. When Robert Duke of Normandy, father of William the Conqueror, was at Constantinople, in his way to the Holy Land, he lived in uncommon splendour, and was greatly celebrated for his wit, his affability, and other virtues. Of these many remarkable examples were related to the Emperor; who resolved to put the reality of them to a trial. With this view he invited the Duke and all his nobles

<sup>56</sup> J. Brompt. Chron. p. 1193.

to a feast in the great hall of the Imperial palace, but took care to have all the tables and seats filled with guests, before the arrival of the Normans, of whom he commanded them to take no notice. When the Duke, followed by his nobles in their richest dresses, entered the hall ; observing that all the seats were filled with guests, and that none of them returned his civilities, or offered him any accommodation, he walked, without the least appearance of surprize or discomposure, to an empty space, at one end of the room, took off his cloak, folded it very carefully, laid it upon the floor, and sat down upon it ; in all which he was imitated by his followers. In this posture they dined, on such dishes as were set before them, with every appearance of the most perfect satisfaction with their entertainment. When the feast was ended, the Duke and his nobles arose, took leave of the company in the most graceful manner, and walked out of the hall in their doublets, leaving their cloaks, which were of great value, behind them on the floor. The Emperor, who had admired their whole behaviour, was quite surprised at this last part of it ; and sent one of his courtiers to intreat the Duke and his followers to put on their cloaks. “ Go (said the Duke), and tell your master, that “ it is not the custom of the Normans to carry “ about with them the seats which they use at an “ entertainment<sup>57</sup>. ” Could any thing be more

<sup>57</sup> J. Brompt. Chron. p. 911.

delicate than this rebuke, or more noble, polite, and manly, than this deportment?

Foibles  
and vices  
of the  
Normans.

These are the most remarkable of the national virtues and agreeable qualities of the Anglo-Normans which are mentioned by our historians of this period. We must not imagine that these virtues were either unmixed or universal. A regard to truth obliges me to reverse the medal, and take a view of their most conspicuous foibles and prevailing vices. But on this unpleasant subject, the reader's attention shall not be long detained.

Their cre-  
dulity.

The Normans were no less credulous than the Anglo-Saxons. This is evident from the prodigious number of miracles, revelations, visions, and enchantments, which are related with the greatest gravity by the best of their historians and other writers. "In this year (1171.), about Easter (says Matthew Paris,) it pleased the Lord Jesus Christ to irradiate his glorious martyr Thomas Becket with many miracles, that it might appear to all the world he had obtained a victory suitable to his merits. None who approached his sepulchre in faith, returned without a cure. For strength was restored to the lame, hearing to the deaf, sight to the blind, speech to the dumb, health to lepers, and life to the dead. Nay, not only men and women, but even birds and beasts, were raised from death to life."<sup>53</sup> Giraldus

<sup>53</sup> M. Paris, p. 87.

Cambrensis, who was one of the most learned and ingenious men of the twelfth century, amongst many ridiculous stories of miracles, visions, and apparitions, tells of one devil who acted a considerable time as a gentleman's butler with great prudence and probity; and of another who was a very diligent and learned clergyman, and a mighty favourite of his archbishop. This last clerical devil was, it seems, an excellent historian, and used to divert the archbishop with telling him old stories. "One day when he was "entertaining the archbishop with a relation of "ancient histories and surprising events, the "conversation happened to turn on the incarnation of our Saviour. Before the incarnation, "said our historian, the devils had great power "over mankind; but after that event their "power was much diminished, and they were "obliged to fly. Some of them threw themselves into the sea; some concealed themselves in hollow trees, or in the clifts of rocks; and "I myself plunged into a certain fountain. As "soon as he had said this, finding that he had disclosed his secret, his face was covered with blushes, he went out of the room, and was no more seen."<sup>59</sup>

The Normans were as curious as they were <sup>Their curiosit.</sup> credulous. This prompted them to employ many vain fallacious arts to discover their future fortunes, and the success of their undertakings.

<sup>59</sup> Girald. Cambren. Itin. Camb. l. i. ch. 12. p. 853.

John of Salisbury enumerates no fewer than thirteen different kinds of diviners or fortunetellers, who pretended to foretell future events ; some by one means, and some by another<sup>60</sup>. Nor did this passion for penetrating into futurity prevail only among the common people, but also among persons of the highest rank and greatest learning. All our kings, and many of our earls and great barons, had their astrologers, who resided in their families, and were consulted by them in all undertakings of importance<sup>61</sup>. We find Peter of Blois, who was one of the most learned men of the age in which he flourished, writing an account of his dreams to his friend the Bishop of Bath, and telling him how anxious he had been about the interpretation of them ; and that he had employed for that purpose *divination by the psalter*<sup>62</sup>. The English, it seems probable, had still more superstitious curiosity, and paid greater attention to dreams and omens than the Normans. For when William Rufus was dissuaded from going abroad on the morning of that day on which he was killed, because the Abbot of Gloucester had dreamed something which portended danger, he is said to have made this reply, — “ Do you “ imagine that I am an Englishman, to be “ frightened by a dream, or the sneezing of an “ old woman<sup>63</sup>? ” But the truth is, that ex-

<sup>60</sup> J. Sarisburiens. de Nugis Curialium, I. 1. ch. 12. p. 36.

<sup>61</sup> See chap. 6. p. 109.

<sup>62</sup> P. Blesens. Ep. 30. p. 51.

<sup>63</sup> Orderic. Vital. p. 782.

cessive credulity and curiosity were the weaknesses of the times, rather than of any particular nation.

If we give entire credit to the furious declamations of some of our historians, and other writers in this period, against the vices of their countrymen, we should be constrained to believe, that the Anglo-Normans were a most profligate, vicious, and abandoned people. But such declamations of recluse and melancholy men have abounded in every age, and are always to be read with some degree of caution and distrust. We have, however, the fullest evidence, that violations of the laws of humanity, chastity, and justice, prevailed so much amongst that people in this period, that they may justly be called their national vices.

Though the Normans were a brave and generous, they were also a haughty, passionate, and fierce people, and their fierceness sometimes degenerated into cruelty. "When it pleased God (says one of our ancient historians) to bring destruction upon the English, he employed the Normans to execute his vengeance, because he knew that they delighted more in blood and slaughter than any other nation."<sup>64</sup> Nothing could be more deplorable than the devastations of William the Conqueror, in his expedition into Northumberland, A. D. 1070. He set out on that expedition, with a declared

Their  
cruelty.

<sup>64</sup> Hen. Huntingdon, p. 212.

intention

intention to destroy the whole country with fire and sword, and exterminate all its inhabitants, men, women, and children; and he executed that barbarous intention with a savage persevering cruelty, of which there are not many examples in the history of mankind<sup>65</sup>. The description given by the author of the Saxon Chronicle of the cruelties exercised in the reign of King Stephen, by the great barons and lords of castles, who were all Normans, affords a still stronger proof of the excesses of which they were capable, when their passions were inflamed:

“ They grievously oppressed the poor people with  
 “ building castles; and when they were built,  
 “ they filled them with wicked men, or rather  
 “ devils, who seized both men and women who  
 “ they imagined had any money, threw them  
 “ into prison, and put them to more cruel tor-  
 “ tures than the martyrs ever endured. They  
 “ suffocated some in mud, and suspended others  
 “ by the feet, or the head, or the thumbs;  
 “ kindling fires below them. They squeezed  
 “ the heads of some with knotted cords, till they  
 “ pierced their brains, while they threw others  
 “ into dungeons swarming with serpents, snakes,  
 “ and toads<sup>66</sup>. ” But it would be cruel to put the reader to the pain of perusing the remainder of this description.

Their violations of chastity.

The great prosperity of the Normans in England, seems to have contributed not a little to

<sup>65</sup> See vol. 5. p. 20.

<sup>66</sup> Chron. Saxon. p. 238.

inflame their passions and corrupt their manners. This is directly asserted by one of our ancient historians, in a passage already quoted in this chapter<sup>67</sup>. Their great power and prosperity, in particular, appears to have rendered them regardless of that respect and decency with which the fair sex was commonly treated in those times, and made them wanton and licentious in their behaviour to the wives and daughters of the English. This licentiousness was so great, that the Princess Matilda, daughter of Malcolm Canmore, King of Scotland, and afterwards Queen of Henry I., being educated in England, was obliged to wear the veil of a nun, to preserve her honour from being violated by the Normans. The Princess herself affirmed, before a great council of the clergy of England, that this was the only reason of her having worn the veil: and the council admitted the validity of her plea, in these remarkable words:—“ When the great King William conquered this land, many of his followers, elated by so great a victory, and thinking that every thing ought to be subservient to their will and pleasure, not only seized the possessions of the conquered, but invaded the honour of their matrons and virgins, with the most unbridled wantonness, whenever they had an opportunity. This obliged many young ladies, who dreaded their violence, to take shelter in nunneries, and to put on the veil,

<sup>67</sup> See p. 317.

“ to

"to preserve their honour"<sup>68</sup>." When this dissolution of manners was introduced, it was not easily corrected, but continued through the whole of this period, though direct violence was restrained. It would be highly improper to stain the pages of history with proofs and examples on this subject, which might easily be produced. Of the licentiousness of manners in this respect, it will probably be thought sufficient evidence that public stews were established by law in London, and probably in other cities, in this period; and that the ladies of pleasure who followed the camps and courts of the kings of England in all their motions, were formed into regular incorporations, and put under the government of officers, who were called *the marshals of the whores*<sup>69</sup>. These officers, both in the camp and court, had estates annexed unto them, and were hereditary.

Unnatural crime.

Several of our historians, and other writers in this period, reproach the Normans in the severest terms for introducing and practising an unnatural crime, which is too detestable to be named. To support the truth of this assertion, a few of these reproaches in the original language, may be seen below.<sup>70</sup>

That

<sup>68</sup> Eadmeri Hist. l. 3. p. 57.

<sup>69</sup> Stow's Survey of London, vol. 2. p. 7. Blount's Fragments Antiquitatis, p. 8. 80. 82. 85. 126.

<sup>70</sup> Nefandissimum Sodomæ scelus (ut illicita consanguineorum connubia, et alia multa rerum detestandarum facinorosa negotia taceam), scelus inquam Sodomæ, noviter in hac terra divulgatum, jam

That prosperity which plunged the Normans into these licentious courses, prompted them to various acts of tyranny and oppression, and emboldened them to invade the rights and injure the persons of others, especially of the unhappy English. Some of the tyrannical despotic actions of the sovereigns who reigned in this period, have been occasionally mentioned, to which many more of the same kind might easily be added<sup>71</sup>. But the sovereigns were not the only tyrants in the times we are now delineating. Many earls, barons, sheriffs, foresters, and judges, were petty despots in their several districts. One of our ancient historians describes the state of England, at the death of William the Conqueror, in this manner : “ The Normans had now fully executed the wrath of Heaven on the English. For there was hardly one of that nation who possessed any power, but they were all involved in servitude and sorrow, insomuch that to be called an Englishman, was a reproach. — In those miserable times, many oppressive taxes and tyrannical customs were introduced. The

jam plurimum pullulavit, multosque suo immanitatem fœdavit. *Eadmeri Hist. l. 1. p. 24.*

Nefandum egitur illud et enorme nimis Normannorum crimen, quod olim a Francis mutuati, nunc sibi velut proprium vindicant. *Anglia Sacra, tom. 2. p. 406.*

Sed quid filias et uxores (quod licet jura prohibeant, tamen quo-cunque modo natura permittit) exponi queror aut prostitui? In ipsam naturam, quasi gigantes alii, Theomachiam novam exercentes infiungunt. Filios offerunt Veneri, &c. *J. Sarisburiens. l. 3. p. 195.*

<sup>71</sup> See p. 79, 80.

“ king

Tyranny  
and op-  
pression.

“ king himself, when he had let his lands at their  
“ full value, if another tenant came and offered  
“ more, and afterwards another, and offered  
“ still more, violated all his former pactions, and  
“ gave them to him who offered most. The  
“ great men were inflamed with such a violent  
“ rage for money, that they cared not by what  
“ means it was acquired. The more they talked  
“ of justice, the more injuriously they acted.  
“ These who were called justiciaries, were the  
“ fountains of all iniquity. Sheriffs and judges,  
“ whose duty it was to pronounce righteous  
“ judgments, were the most cruel of all tyrants,  
“ and greater plunderers than common thieves  
“ and robbers <sup>72</sup>. ” The truth is, that the castles  
of some of the great barons were no better than  
dens of thieves and robbers, who extorted money  
from the unfortunate people who fell into their  
hands, by the most cruel methods <sup>73</sup>. The  
woods also were haunted by troops of banditti,  
who were so terrible to the inhabitants of the  
surrounding countries, that they had a form of  
prayer against robbers, which they said every  
evening when they shut their doors and windows <sup>74</sup>. In a word, there is the fullest evidence,  
that in this period, both the lives and properties  
of the people of England were exposed to many  
injuries and dangers from several different  
quarters.

<sup>72</sup> Hen. Hunt. l. 8. p. 212.

<sup>73</sup> See p. 345, 346. W. Malmf. l. 2. p. 105.

<sup>74</sup> M. Paris, Vit. Abbat. p. 29. col. 1.

The inhabitants of Wales, and of the far Language. greatest part of Scotland, still continued to speak the languages of their ancestors, the ancient Britons and Caledonians; an account of which hath been already given<sup>75</sup>. As the people of England consisted of two different nations, the Normans and Anglo-Saxons, they spoke, for a considerable time at least, two different languages, the Norman-French and the Saxon. The observations which have been made on the former of these languages, commonly called *the Romance tongue*, in the fourth and fifth chapters of this book, together with the specimens which have been given of it in the last of these chapters, will, it is hoped, be thought sufficient to give a tolerable view of its origin and structure, and prevent the necessity of saying any thing further upon it in this place<sup>76</sup>. A still more extended description of the Saxon tongue hath been given in the seventh chapter of the fourth volume, to which the reader is referred<sup>77</sup>. In spite of all the efforts that were made by the Norman conquerors to abolish this language, and introduce their own in its room, it still continued to be the vulgar tongue of the great body of the people of England through the whole of this period, with such slight and gradual changes as time and other circumstances are apt to make in all living

<sup>75</sup> See vol. 2. p. 336, &c. Appendix, No. 10. p. 486.

<sup>76</sup> See chap. 4. p. 89. chap. 5. p. 228.

<sup>77</sup> See vol. 4. p. 362—373.

languages.

languages. These changes appear to have been very slow, and almost imperceptible, in the course of a whole century after the conquest. Of this we may be convinced, by comparing the charter of King Harold<sup>78</sup>, written a little after the middle of the eleventh century, with the last paragraph of the Saxon Chronicle, written a little after the middle of the twelfth century. To enable us to make this comparison, that paragraph, with a literal translation interlined, is here subjoined :

Specimen  
of the  
Saxon of  
this period.

An. MCLIV. On this yær wærd the King  
*A. D. 1154. In this year was the King*

Stephen ded; and bebyried there his wif and  
*Stephen dead; and buried where his wife and*  
his fune wæron bebyried æt Tauresfeld. That  
*his son were buried at Touresfield. That*  
minstre hi makiden. Tha the king was ded,  
*minster he made. When the king was dead,*  
tha was the eorl beionde sæ. And ne durste  
*then was the earl beyond sea. And not durst*  
nan man don other, bute god for the micel<sup>79</sup>  
*no man do other, but good for the great*

<sup>78</sup> See vol. 4. p. 371—373.

<sup>79</sup> This word is still used in Scotland in the same sense.

eie of him. Tha he to Engleland come, tha  
awe of him. When he to England came, then  
was he under-fangen mid micel wartscipe ; and  
was he received with great worship ; and  
to . . . king bletcæd in Lundine, on the  
*to be king consecrated in London, on the*  
Sunnen dæi beforen mid-winter-dæi.  
*Sunday before mid-winter-day.*

From the above specimen it appears, that the chief difference between the Saxon that was spoken in England at the conquest, and that which was spoken a century after, consisted in this, that the latter approached a little nearer to modern English than the former, and differed from it rather in the disposition and spelling of the words, than in the words themselves. For in this specimen there are not above three or four words that are absolutely unintelligible to an English reader. This fragment also affords a further evidence of a very curious fact, which might be proved by many other arguments,— that the enmity between the Normans and Anglo-Saxons continued very long, and that they mingled as little as possible in conversation during the first century after the conquest. For, in the above specimen, there is not so much as one word derived from the language of the Normans. By slow degrees, however, this enmity abated, and the two nations began to converse

Observa-  
tions on  
the above  
specimen.

more familiarly together; which naturally produced this effect, that the language of the great majority of the people became the prevailing and vulgar tongue of the whole, but mixed with a tincture of the language of the minority. The steps by which this effect was produced will be traced in the next period of this work.

Dress.

The people of Normandy and Flanders, of which great numbers followed the Conqueror into England, were remarkable for the beauty and elegance of their persons<sup>80</sup>. They were also very ostentatious and fond of pomp. These two things prompted them to pay great attention to their dress; of which it is proper to give a very brief description.<sup>81</sup>

Long curled hair.

There was hardly any thing against which the clergy in this period declaimed with greater vehemence, than the long curled hair of the laity, especially of the courtiers<sup>82</sup>. Deprived of this ornament themselves, by their clerical tonsure, they endeavoured to deter others from enjoying it, by representing it as one of the greatest crimes, and most certain marks of reprobation. Anselm Archbishop of Canterbury even pronounced the then terrible sentence of excommunication against all who wore long hair, for which pious zeal he is very much commended<sup>83</sup>. Serlo, a Norman bishop, acquired great honour

<sup>80</sup> W. Malmf. l.5. p. 98. col. I.<sup>81</sup> Hen. Hunt. p. 222. col. I.<sup>82</sup> Eadmeri Hist. p. 23. Orderic. Vital. p. 682.<sup>83</sup> Eadmer. p. 81.

by a sermon which he preached before Henry I., A.D. 1104., against long and curled hair, with which the King and all his courtiers were so much affected, that they consented to resign their flowing ringlets, of which they had been so vain. The prudent prelate gave them no time to change their minds, but immediately pulled a pair of shears out of his sleeve, and performed the operation with his own hand<sup>84</sup>. Another incident happened about twenty-five years after ; which gave a temporary check to the prevailing fondness for long hair : it is thus related by a contemporary historian : “ An event happened, “ A.D. 1129., which seemed very wonderful “ to our young gallants ; who, forgetting that “ they were men, had transformed themselves “ into women by the length of their hair. A “ certain knight, who was very proud of his “ long luxuriant hair, dreamed that a person suf-“ focated him with its curls. As soon as he “ awoke from his sleep, he cut his hair to a “ decent length. The report of this spread “ over all England, and almost all the knights “ reduced their hair to the proper standard. But “ this reformation was not of long continuance. “ For in less than a year all who wished to appear “ fashionable, returned to their former wicked-“ nesses, and contended with the ladies in length “ of hair. Those to whom nature had denied “ that ornament, supplied the defect by art.”<sup>85</sup>

<sup>84</sup> Orderic Vital. p. 816.

<sup>85</sup> W. Malms. Hist. Novel. l. i. p. 99. col. 2.

Shaved  
their  
beards.

The Normans had as great an aversion to beards as they had a fondness for long hair. Among them, to allow the beard to grow, was an indication of the deepest distress and misery<sup>86</sup>. They not only shaved their beards themselves, but, when they had authority, they obliged others to imitate their example. It is mentioned by some of our ancient historians, as one of the most wanton acts of tyranny in William the Conqueror,—that he compelled the English (who had been accustomed to allow the hair of their upper lips to grow) to shave their whole beards<sup>87</sup>. This was so disagreeable to some of that people, that they chose rather to abandon their country than resign their whiskers.<sup>88</sup>

**Vestments.** The vestments of the Normans at the conquest, and for some time after, were simple, convenient, and even graceful; but before the end of this period they degenerated not a little from their simplicity, and became fantastical enough in some particulars. Those of the men were—caps or bonnets for the head,—shirts, doublets, and cloaks, for the trunk of the body,—and breeches, hose, and shoes, for the thighs, legs, and feet. It may be proper to take a little notice of what was most remarkable in each of these.

Their caps  
and bon-  
nets.

The caps or bonnets of the Anglo-Normans were made of cloth, or furs. They were of various shapes and colours, and differently orna-

<sup>86</sup> Orderic. Vital. p. 847.

<sup>87</sup> M. Paris, Vit. Abbat. p. 29.

<sup>88</sup> Id. ibid. p. 30.

mented,

mented, according to the taste, rank, and circumstances of the wearers. The Jews were obliged to wear square caps of a yellow colour, to distinguish them from other people<sup>89</sup>. The bonnets of kings, earls, and barons, especially those which they used at public solemnities, were of the finest cloths, or richest furs, and adorned with pearls and precious stones.<sup>90</sup>

The shirts of all persons of rank and fortune, and even of the great body of the people, were of linen; which was now become so common, that it was no longer taken notice of by our writers as a singularity. As this part of dress is not much seen, it hath not been much affected by the tyranny of caprice and fashion.

Doublets or circoats were worn next the shirt, and made to fit the shape of the body. This vestment appears to have been used shorter or longer, at different times, and even at the same time, by persons of different ranks. For while the circoats of kings, and persons of quality, reached almost to their feet, those of the common people reached no lower than the middle of the thigh, that they might not incommod them in labouring<sup>91</sup>. The sleeves of these doublets reached to the wrists. They were put on, over the head, like a shirt, and made fast about the

Their shirts.

Their doublets.

<sup>89</sup> Du Cange Gloff. tom. 8. p.483.

<sup>90</sup> See Mr. Strutt's View of the Manners, Customs, &c. vol. I. plates 42. 44. 49.

<sup>91</sup> Id. ibid. vol. I. plates 8, 9, 10, 11, 12, 13.

waist with a belt or girdle. The girdles of kings were commonly embroidered with gold, and set with precious stones.<sup>92</sup>

## Mantles.

The cloak or mantle was one of the chief vestments of the Anglo-Normans. The mantles worn by kings, and other great persons, were very valuable, being made of the finest cloths, embroidered with gold or silver, and lined with the most costly furs. Robert Bloet, the second Bishop of Lincoln, made a present to Henry I., of a cloak of exquisitely fine cloth, lined with black fables, with white spots, which cost £100 of the money of those times, equal in efficacy to £1500. of our money at present<sup>93</sup>. The cloak of Richard I. was still more splendid, and probably more expensive. It is thus described by his historian : “ The King wore a cloak, striped “ in straight lines adorned with half-moons of “ solid silver, and almost covered with shining “ orbs, in imitation of the system of the hea-“ venly bodies<sup>94</sup>. ” The fashion of their cloaks changed oftener than once in this period, particularly as to their length. Henry II. introduced the short cloak of Anjou, from which he got the surname of *Court-Mantle*<sup>95</sup>. At another time the fashion was in the other extreme. “ In “ our days (says Ordericus Vitalis) they sweep “ the ground with their long cloaks and gowns,

<sup>92</sup> See Mr. Strutt’s View of the Manners, Customs, &c. vol. 2. p. 16.

<sup>93</sup> *Anglia Sacra*, tom. 2. p. 417.

<sup>94</sup> *Vinisauf. Iter. Hierosolymit.* l. 2. c. 36. p. 325.

<sup>95</sup> *J. Brompt. col. 1150.*

“ whose

“ whose long and wide sleeves cover their  
“ hands, so that they can neither walk nor act  
“ with freedom.”<sup>96</sup>

Kings, earls, and great barons, used a garment in this period, called, in Latin, *rheno*, for which I do not know an English name. It was made of the finest furs; covered the neck, breast, and shoulders; and was equally comfortable and ornamental.<sup>97</sup>

It is unnecessary to detain the reader with a description of the breeches and stockings of the Anglo-Normans. They were both of cloth, of different colours, and different degrees of fineness, according to the different fancies and circumstances of the wearers. William Rufus disdained to wear a pair of stockings which cost less than a mark, equivalent to about ten pounds of our money at present.<sup>98</sup>

The shoes of the Normans, when they settled in England, seem to have had nothing remarkable in their make. But before the end of this period, a very ridiculous and inconvenient fashion of shoes was introduced. This fashion made its first appearance in the reign of William Rufus; and was introduced by one Robert, surnamed the *Horned*, from the fashion of his shoes. He was a great beau in the court of that prince, and used shoes with long sharp points, stuffed with

Breeches  
and stock-  
ings.

<sup>96</sup> Orderic. Vital. p. 682.

<sup>97</sup> Id. p. 535. Du Cange Gloff. voc. *Rheno*.

<sup>98</sup> W. Malmf. p. 69.

tow, and twisted like a ram's horn <sup>99</sup>. This ridiculous fashion, says the historian, was admired as a happy invention, and adopted by almost all the nobility <sup>100</sup>. The clergy were offended at this fashion, and declaimed against these long-pointed shoes with great vehemence; but to no purpose. For the length of these points continued to increase through the whole of this period, and the greatest part of the next; when we shall find them arrived at a degree of extravagance which is hardly credible.

Women's  
dress.

The two sexes did not differ very much from each other in their dress, in the present period. The inner garments of women were more large and flowing in the under part, than those of men, and reached to the ground. Their mantles had commonly hoods annexed to them, which sometimes hung down behind as an ornament, and at other times covered their heads. The girdles of princesses and ladies of quality were richly ornamented with gold, pearls, and precious stones, and at their girdles they had a large purse or pouch suspended. Both their inner garments and their mantles of state were embroidered with various figures, and lined with furs. They wore collars of pearls or precious stones about their necks, and rings of great value on their fingers. The above description is chiefly taken from the prints, of Eleanor, Queen of Henry II., Beren-

<sup>99</sup> W. Malmf. p. 69. col. 2. Orderic. Vital. p. 682.

<sup>100</sup> Id. ibid.

garia, Queen of Richard I., and Elizabeth, Queen of King John, in the work quoted below.<sup>101</sup>

The Anglo-Normans are said to have been <sup>Diet.</sup> more delicate in the choice and dressing of their victuals than the Anglo-Saxons<sup>102</sup>. It may appear fanciful to suggest, that the art of cookery was improved by the introduction of feudal tenures, and yet this suggestion is very probable. For after these tenures were introduced, the office of cook, in great families, became hereditary, and had an estate annexed unto it; which naturally engaged fathers to instruct their sons with care, in the knowledge of an art to which they were destined by their birth<sup>103</sup>. We even meet with estates held by the tenure of dressing one particular dish of meat.<sup>104</sup>

The Anglo-Normans had only two stated meals a day, which were dinner and supper. By the famous laws of Oleron, those sailors who were allowed strong drink of any kind at the ship's expence, were to have only one meal a day from the kitchen; but the Norman sailors were to have two meals a day, because they had only water at the ship's allowance<sup>105</sup>. Robert Earl of Millent, the prime minister and great favourite of Henry I., laboured earnestly, both by his example and exhortations, to persuade the nobility

Only two  
meals a  
day.

<sup>101</sup> Les Monumens de la Monarchie Françoise, par Montfauçon, tom. 2. plate 15. p. 114.

<sup>102</sup> W. Malmf. p. 57. col. 2.

<sup>103</sup> Fleta, l. 2. c. 75.

<sup>104</sup> Blount's Fragmenta Antiquitatis, p. 1.

<sup>105</sup> Godolphin's View of the Admiral Jurisdiction, p. 177.

of England to have only one formal stated meal a day in their families<sup>106</sup>. Henry of Huntington complains very feelingly, that this parsimonious custom prevailed too much in his time; and that many great men had only one meal a day in their houses, which he imagined proceeded from their avarice rather than from their love of temperance, as they pretended<sup>107</sup>. This stated meal, where there was only one, was an early and plentiful supper; but the most common custom was to have two meals, a dinner and a supper.

The times  
of dinner  
and supper.

The time of dinner, in this period, even at court, and in the families of the greatest barons, was at nine in the forenoon, and the time of supper at five in the afternoon. These times were very convenient for dispatching the most important business of the day without interruption; as the one was before it begun, and the other after it was ended. They were also thought to be friendly to health and long life, according to the following verses, which were then often repeated:

Lever a cinq, dinner a neuf,  
Souper a cinq, coucher a neuf,  
Fait vivre d'ans nonante et neuf.<sup>108</sup>

To rise at five, to dine at nine,  
To sup at five, to bed at nine,  
Makes a man live to ninety-nine.

<sup>106</sup> W. Malmf. p. 90. col. 2.

<sup>107</sup> Hen. Hunt. l. 6. p. 209.

<sup>108</sup> Recreations Historiques, tom. I. p. 170.

At dinner and supper, but especially at the <sup>Their provisions.</sup> last, the tables of princes, prelates, and great barons, were plentifully furnished with many dishes of meat dressed in several different ways. William the Conqueror, after he was peaceably settled on the throne of England, sent agents into different countries, to collect the most admired and rare dishes for his table; by which means, says John of Salisbury, this island, which is naturally productive of plenty and variety of provisions, was overflowed with every thing that could inflame a luxurious appetite<sup>109</sup>. The same writer tells us, that he was present at an entertainment which lasted from three o'clock in the afternoon to midnight; at which delicacies were served up, which had been brought from Constantinople, Babylon, Alexandria, Palestine, Tripoli, Syria, and Phenicia<sup>110</sup>. These delicacies we may presume were very expensive. Thomas Becket, if we may believe his historian. Fitz-Stephen, gave five pounds, equivalent to seventy-five pounds at present, for one dish of eels<sup>111</sup>. The sumptuous entertainments which the kings of England, and of other countries, gave to their nobles and prelates, at the festivals of Christmas, Easter, and Whitsuntide, in which they spent a great part of their revenues, contributed very much to diffuse a taste for profuse and expensive banqueting. It was natural for a proud

<sup>109</sup> J. Sarisburien, p. 553.

<sup>110</sup> Id. p. 555.

<sup>111</sup> W. Stephaned. Vita S. Thomæ, p. 21.

and

and wealthy baron to imitate, in his own castle, the entertainments he had seen in the palace of his prince. Many of the clergy too, both seculars and regulars, being very rich, kept excellent tables. The monks of St. Swithins, at Winchester, made a formal complaint to Henry II. against their abbot, for taking away three of the thirteen dishes they used to have every day at dinner<sup>112</sup>. The monks of Canterbury were still more luxurious; for they had at least seventeen dishes every day, besides a dessert; and these dishes were dressed with spiceries and sauces, which excited the appetite as well as pleased the taste.<sup>113</sup>

**Dishes now unknown.** Great men had some kinds of provisions at their tables, that are not now to be found in Britain. When Henry II. entertained his own court, the great officers of his army, with all the kings and great men of Ireland, in Dublin, at the feast of Christmas, A. D. 1171., the Irish princes and chieftains were quite astonished at the profusion and variety of provisions which they beheld, and were with difficulty prevailed upon by Henry to eat the flesh of cranes, a kind of food to which they had not been accustomed<sup>114</sup>. In the remaining monuments of this period, we meet with the names of several dishes, as dellegrout, maupigyrnun, karumpie,

<sup>112</sup> Giraldus Cambrenſ. de Rebus a ſe gestis, l. 2. c. 5.

<sup>113</sup> Id. ibid.

<sup>114</sup> Girald. Cambrenſ. Expugnatio Hiberniaꝝ, l. I. c. 32.

&c. the composition of which, I imagine, is now unknown.<sup>115</sup>

The people of Britain, especially persons of rank and fortune, had several kinds of bread in this period. That which is called in Latin *panis piperatus*, was made of the finest flour mixed with spices, and is sometimes mentioned by our ancient historians<sup>116</sup>. Simnel and wastel cakes were made also of the finest flour, and were seldom seen, except at the tables of kings, prelates, barons, or monks. When the King of Scotland resided in the court of England, he was, by charter, allowed twelve of the King's wastel cakes, and twelve of his simnel cakes, every day for his table<sup>117</sup>. But the most common bread used by persons in comfortable circumstances, was made of the whole flour, coarse and fine, the price of which was very early settled by law in proportion to the price of wheat<sup>118</sup>. The common people had bread made of the meal of rye, barley, or oats.<sup>119</sup>

Persons of high rank and great fortunes had variety of liquors, as well as of meats. For, besides wines of various kinds, they had pigment, morat, mead, hypocras, claret, cyder, perry, and ale. Some of these liquors, as pigment and morat, have been already described;

<sup>115</sup> *Fragmenta Antiquitatis*, p. 1. M. Paris. Vit. Abbat. p. 32. col. 2.

<sup>116</sup> *Gervas Chron.* col. 1520.

<sup>117</sup> *Rymeri Fœdera*, tom. 1. p. 87.

<sup>118</sup> *M. Paris*, p. 145.

<sup>119</sup> *Spelmanni Gloss.* p. 467. col. 2.

and

and others of them, as mead, cyder, perry, and ale, are so well known, that they need no description<sup>120</sup>. The claret of those times was wine clarified, and mixt with spices; and hypocras was wine mixed with honey. The curious reader may find directions for making both these liquors in the work quoted below.<sup>121</sup>

## Diversions.

As the Anglo-Norman nobles were neither men of busines nor men of letters, they had much leisure, and spent much time in their diversions; which were either martial — rural — theatrical — or domestic.

## Martial sports.

The martial sports of the middle ages, commonly called *tournaments*, were the favourite diversions of the princes, barons, and knights of those times. They had indeed the most powerful motives to be fond of these diversions. For it was at tournaments that princes, earls, and wealthy barons, appeared in the greatest pomp and splendour. Tournaments were the best schools for acquiring dexterity and skill in arms, and the most public theatres for displaying these accomplishments, and thereby gaining the favour of the fair and the admiration of the world.<sup>122</sup>

## Origin of tournaments.

Tedious investigations of the origin of these martial sports, are neither suited to the nature of general history, nor the limits of this work. It

<sup>120</sup> See vol. 4. p. 395.

<sup>121</sup> Du Cange Gloff. tom. 2. p. 662.

<sup>122</sup> Du Cange Gloff. voc. *torneamentum*. Memoires sur Chevalerie, tom. 1. p. 27. 88. 100. 152. 211. 263. tom. 2. p. 23. 75, &c.

is sufficient to take notice, that they began to be more famous and better regulated in France and Normandy, a little before the conquest, than they had been in former times. Geoffrey de Pruilli, who was killed A.D. 1066., contributed so much to this, that he is represented by several authors as the inventor of tournaments<sup>123</sup>. That these military sports were introduced into Britain by the Normans, is highly probable. But they do not seem to have prevailed very much in England for a considerable time after the conquest, having been discouraged, on account of the great danger and ruinous expence with which they were attended. "After this truce (says William of Newborough) between the kings of France and England, A.D. 1194., the military sports and exercises, which are commonly called tournaments, began to be celebrated in England by the permission of King Richard, who imposed a certain tax on all who engaged in these diversions. But this royal exaction did not in the least abate the ardour with which the youth of England crowded to these exercises. Such conflicts in which the combatants engaged without any animosity, merely to display their dexterity and strength, had not been frequent in England, except in the reign of King Stephen, when the reins of government were much relaxed. For in the times of former kings, and also of Henry II.,

<sup>123</sup> Chron. Touronien. A.D. 1066.

" who

" who succeeded Stephen, tournaments were prohibited ; and those who desired to acquire glory in such conflicts, were obliged to go into foreign countries. King Richard, therefore, observing that the French were more expert and dexterous in the use of their arms in battle, because they frequented tournaments, permitted his own knights to celebrate such martial sports, within his own territories, that they might no longer be insulted by the French."<sup>124</sup> The reader will find a translation of this edict of King Richard in the Appendix, No. 4.

Description of tournaments.

The most splendid tournaments were celebrated by sovereign princes of a martial character, at their coronations, marriages, victories, or on other great occasions. When a prince had resolved to hold a tournament, he sent heralds to the neighbouring courts and countries to publish his design, and to invite all brave and loyal knights to honour the intended solemnity with their presence. This invitation was accepted with the greatest joy ; and at the time and place appointed, prodigious numbers of persons of high rank, and of both sexes, commonly assembled. Judges were chosen from among the most noble and honourable knights, who were invested with authority to regulate all preliminaries and determine all disputes. Some days before the beginning of the tournament, all the

<sup>124</sup> W. Neubrigen. l. 5. c. 4.

knights who proposed to enter the lists, hung up their shields in the cloister of a neighbouring monastery, where they were viewed by the ladies and knights. If a lady touched one of the shields, it was considered as an accusation of its owner, who was immediately brought before the judges of the tournament, tried with great solemnity, and if found guilty of having defamed a lady, or of having done any thing unbecoming the character of a true and courteous knight, he was degraded, and expelled the assembly with every mark of infamy. The lists were effectually secured from the intrusion of the spectators, and surrounded with lofty towers and scaffolds of wood in which the princes and princesses, ladies, lords, and knights, with the judges, marshals, heralds, and minstrels, were feated in their proper places, in their richest dresses. The combatants, nobly mounted, and completely armed, were conducted into the lists by their respective mistresses, in whose honour they were to fight, with bands of martial music, amidst the acclamations of the numerous spectators. It would be tedious to describe all the different kinds of combats that were performed at a royal tournament, which continued several days. It is sufficient to take notice, that representations were exhibited of all the different parts of actual war, from a single combat to a general action, with all the different kinds of arms, as spears, swords, battle-axes, and daggers. At the conclusion of every day's tournament, the judges

declared the victors, and distributed the prizes, which were presented to the happy knights by the greatest and most beautiful ladies in the assembly. The victors were then conducted in triumph to the palace ; their armour was taken off by the ladies of the court ; they were dressed in the richest robes, seated at the table of their sovereign, and treated with every possible mark of distinction. Besides all this, their exploits were inserted in a register, and celebrated by the poets and minstrels who attended these solemnities. In a word, the victors became the greatest favourites of the fair, and the objects of universal admiration. It is easy to imagine with what ardour young and martial nobles aspired to these honours, so flattering to the strongest passions of the bravest hearts. The most magnificent tournament celebrated in this period, was that proclaimed by the King of England, Henry II. A. D. 1174., in the plains of Beaucaire, at which no fewer than ten thousand knights, besides ladies and other spectators, are said to have been present.<sup>125</sup>

Quintain,  
&c.

No person under the rank of an esquire was permitted to enter the lists at tournaments ; which gave occasion to similar sports among

<sup>125</sup> For the proofs of this description, and for a fuller account of the martial sports of the middle ages, the reader may consult — *Mémoires sur l'Ancienne Chevalerie*, par M. de Sainte Palaye. — *Mœurs de François*, par M. le Gendre. — *Du Cange Gloss. voc. Tournamentum*. — *Le P. Menistrier Traité sur la Chevalerie*, Honoré de St. Marie *Dissertat. sur la Chevalerie*.

burgesses and yeomen. Of this kind was the game called *the quintain*, which is thus described: A strong post was fixed in the ground, with a piece of wood, which turned on a spindle on the top of it. At one end of this piece of wood a bag of sand was suspended, and at the other end a board was nailed. Against this board they tilted with spears, which made the piece of wood turn quickly on the spindle, and the bag of sand strike the riders on the back with great force, if they did not make their escape by the swiftness of their horses<sup>126</sup>. Of this kind also was the sport on the Thames, which is thus described by Fitz-Stephen: “A shield is nailed to a pole fixed in the midst of the river. A boat is driven with violence by many oars and the stream of the river. On the prow of the boat stands a young man, who, in passing, tilts against the shield with a spear. If the spear breaks and he keeps his station, he gains the prize; but if the spear doth not break he is thrown into the river. To prevent his being drowned, a boat is moored on each side of the shield, filled with young men, who rescue him as soon as possible. The bridge, wharfs, and houses, are crowded with spectators ready to break out into loud bursts of laughter<sup>127</sup>. The youth in towns and villages diverted themselves on holidays with running, leaping, wrest-

<sup>126</sup> Stow's Survey of London, vol. 1, p. 249. Kennet's Parochial Antiquities, p. 19.

<sup>127</sup> W. Stephaned. Descript. Lond. p. 8.

ling, throwing stones and darts, and shooting with bows and arrows, which were useful amusements, and fitted them for acting their parts in time of war. In great cities, particularly in London, wild boars and bulls were baited by dogs for the entertainment of the populace <sup>128</sup>. Cock-fighting and horse-racing were not unknown in this period; but they seem to have been considered as childish rather than manly amusements <sup>129</sup>. In frost the youth diverted themselves in various ways upon the ice, particularly by skating with the shank-bones of sheep tied under their shoes, and at the same time tilting against each other with pointless spears. <sup>130</sup>

Hunting  
and hawk-  
ing.

It is hardly possible for the keenest sportsman of the present age to form any idea of the excessive fondness of the Anglo-Norman kings and nobles, for the rural diversions of hunting and hawking. In these they spent the greatest part of their time and of their revenues; and to their fondness for them they too often sacrificed their interest, their honour, and their humanity.

“ In our times (says John of Salisbury) hunting and hawking are esteemed the most honourable employments, and most excellent virtues, by our nobility: to spend their whole time in these diversions, they think is the supreme felicity of life. — They prepare for these sports with more anxiety, expence, and bustle,

<sup>128</sup> W. Stephaned. Descript. Lond. p. 8.

<sup>129</sup> Id. ibid.

<sup>130</sup> Id. ibid.

“ than

" than they do for war ; and pursue wild beasts  
" with greater fury than they do the enemies of  
" their country. — By their constant pursuit of  
" this way of life, they lose the best part of their  
" humanity, and become almost as great monsters  
" and savages, as the animals which they hunt.  
" — Husbandmen with their harmless herds  
" and flocks are driven from their well-cultivated  
" fields, their meadows, and their pastures, that  
" wild beasts may range in them at large. — If  
" one of these great and merciless hunters pass  
" by your habitation, bring out quickly all the  
" refreshments you have in your house, or you  
" can buy or borrow from your neighbours, that  
" you may not be involved in ruin, or even  
" accused of treason <sup>131</sup>. " It would be easy to  
produce many other proofs of the fondness, or  
rather rage, of the Anglo-Norman kings and  
nobles of this period for the sports of the field ;  
but this seems to be as unnecessary as it is to  
describe these diversions, which are so well  
understood. So general was this rage for these  
rural sports, that both the clergy and the ladies  
were seized with it, and many of them spent  
much of their time in hunting and hawking.  
Walter Bishop of Rochester, as we learn from a  
letter of Peter of Blois, was so fond of hunting,  
that when he was eighty years of age, it was the  
only employment of his life, to the total neglect

<sup>131</sup> J. Sarisburiens. de Nugis Curialium, l. i. c. 4.

of the duties of his office<sup>132</sup>. The English ladies of this period applied so much to hawking, that they excelled the gentlemen in that art; which John of Salisbury, very unpolitely, produces as a proof, that hawking was a trifling and frivolous amusement.<sup>133</sup>

Theatrical entertainments.

Though theatrical entertainments in Britain were so imperfect in this period, that they might, without much impropriety, have been omitted in this place; yet there is sufficient evidence that they were not unknown, or even uncommon. They were of two kinds, ecclesiastical and secular.

Ecclesiastical plays called miracles.

The ecclesiastical plays of this period were composed by the clergy, and acted by them and their scholars; and consisted of representations of events or actions recorded in the Scriptures, or in the lives of the saints. When Geoffrey, the sixteenth abbot of St. Alban's, was a young man, and presided in the school of Dunstable, about A. D. 1110., "he composed (says Matthew Paris) a certain Play of St. Katherine, of that kind which we commonly call miracles, and borrowed from the sacrist of St. Alban's some of the sacred vestments of that abbey, to adorn the persons who acted his play."<sup>134</sup> Peter of Blois congratulates his brother William, who was an abbot, on the fame he had acquired

<sup>132</sup> P. Blesenf. Ep. 56. p. 81.

<sup>133</sup> J. Sarisburienf. l. i. c. 4. p. 13, 14.

<sup>134</sup> M. Paris, Vit. Abbat. p. 35. col. 2.

by his tragedy of Flaura and Marcus, and by his other theological works<sup>135</sup>. “London (says “Fitz-Stephen), for theatrical spectacles, hath “religious plays, which are representations of “the miracles which holy confessors had wrought, “and of the sufferings by which martyrs had “displayed their constancy.”<sup>136</sup>

The secular plays of this period seem to have been of a very different nature and tendency from the ecclesiastical. The clergy were prohibited from frequenting them, by the sixteenth canon of the fourth general council of Lateran, A.D. 1215.<sup>137</sup> They seem, indeed, to have been very improper entertainments for the clergy. For, according to the descriptions given of them by contemporary writers, they appear to have consisted of comic tales or stories, intermixed with coarse jests, and accompanied, in the acting, with instrumental music, singing, dancing, gesticulations, mimicry, and other arts of raising laughter, without much regard to decency<sup>138</sup>. They were acted by companies of strollers, composed of minstrels, mimics, singers, dancers, wrestlers, and others, qualified for performing the several parts of the entertainment<sup>139</sup>. Such companies constantly followed the courts of the kings of England, and from time to time visited

<sup>135</sup> P. Blesens. Ep. 93. p. 145.

<sup>136</sup> W. Stephaned. Descript. Lond. p. 7.

<sup>137</sup> Du Pin, Eccle. Hist. cent. 13. c. 4. p. 98.

<sup>138</sup> J. Sarisburiens. l. i. c. 8. p. 32, 33, 34.

<sup>139</sup> Id. ibid. p. 34.

the castles of earls and great barons, where they were well entertained and generously rewarded<sup>140</sup>. The reader will perceive, from the quotation below, how little regard these ancient players paid to decency in their exhibitions, and how indelicate our ancestors were in their diversions<sup>141</sup>. I chuse rather to give this quotation in the original language than in a translation, for very obvious reasons.

Domestic diversions.

A minute description of all the domestic diversions of the kings, nobles, and people of Britain, in this period, is not necessary, and would swell this article beyond its due proportion. The following very brief account of the two most admired and fashionable domestic games, those of chess and dice, will, it is hoped, be thought sufficient.

Chefs and dice.

The game of chess, and several games at dice, were much studied and practised by persons of rank and fortune in this period. Some knowledge of these games was so necessary to every gentleman, especially if he aspired to the honour of knighthood, that they were commonly made a

<sup>140</sup> J. Sarisburiens. l. I. c. 8. p. 34. P. Blesens. Ep. 14. p. 24. col. 2.

<sup>141</sup> Hinc mimi, salii vel saliares, balatrones, æmiliani, gladiatores, palæstritæ, gignadii, prefigiatores, malefici quoque multi, et tota joculatorum scœna procedit. Quorum adeo error invaluit, ut a præclaris domibus non arceantur, etiam illi qui obscenis partibus corporis, oculis omnium eam ingerunt turpitudinem, quam erubescat videre vel Cynicus. Quodque magis mirere, nec tunc ejiciuntur, quando tumultuantes inferius crebo sonitu aerem fœdant, & turpiter inclusum, turpius produnt. *J. Sarisburiens. &c. Nugis Curialium*, l. I. c. 8. p. 34.

part of his education<sup>142</sup>. Peter of Blois, in one of his letters to a friend, who had a very profligate young man under his care, ascribes the profligacy of the youth to the education he had received from his father, who, being a great gamester, had taught his son to play at dice when he was but a child : “ For I do not wonder (says he), that he is a vicious young man, who in his childhood was taught to play at dice, which is the mother of perjury, theft, and sacrilege<sup>143</sup>.” “ In our times (says another writer of this period) expertness in the art of hunting, dexterity in the damnable art of dice playing, a mincing effeminate way of speaking, and great skill in dancing and music, are the most admired accomplishments of our nobility. In these arts, our young nobles imitate the examples, and improve by the instructions, of their fathers<sup>144</sup>.” Matthew Paris blames the English barons who had revolted from King John, for spending their time in London, in eating, drinking, and playing at dice, when they should have been in the field<sup>145</sup>. Nor was this fondness for dice confined to the nobility; for we meet with some clergymen, and even bishops, who are said to have spent much of their time in these games<sup>146</sup>. It appears also, that the gamesters of this period were

<sup>142</sup> Mémoires sur la Chevalerie, par M. de St. Palaye, tom. I. p. 136.

P. Blefens. Ep. 74. p. 111.

<sup>144</sup> J. Sarisburiens. l. x. c. 5. p. 25.

<sup>146</sup> Orderic. Vital. p. 550.

<sup>145</sup> M. Paris, p. 187. col. I.

acquainted with many different games at dice, of which a writer of those times gives us the Latin names of no fewer than ten<sup>147</sup>. But I confess my incapacity to describe the games intended by these names.

Laws  
against  
gaming.

This too violent passion for games of chance was then (as it has always been) attended with various inconveniences, both to the gamesters themselves and to society. To the gamesters, — by dissipating their fortunes, — by consuming their most precious hours, — and by making them neglect their most important duties. To society, — by depriving it of the advantages it might have derived from a better application of the time and talents of many of its members. To prevent these inconveniences, by laying this dangerous passion under some restraints, several canons and laws were made. A translation of one of these laws will form no improper conclusion to this article. This remarkable law was one of those promulgated by the united authority of Richard I. King of England, and Philip Augustus King of France, with the advice and consent of their archbishops, bishops, earls, and barons, for the government of their forces, in their expedition to the Holy Land, A.D. 1190. It is the second in that system of laws, and is to this purpose: “ Besides, none in the whole army shall play at any kind of game for money, except knights and clerks; who shall not lose

<sup>147</sup> J. Sarisburiens. l. i. c. 5. p. 23.

“ above

“ above twenty shillings (equal in efficacy to  
“ about fifteen pounds of our money at present)  
“ in one day and one night. But if any knight  
“ or clerk shall lose more than twenty shillings  
“ in one day, he shall pay one hundred shillings  
“ (equivalent to about seventy-five pounds of  
“ our money) for every such offence, into the  
“ hands of the above-named commissioners, who  
“ shall have the custody of that money <sup>148</sup>. But  
“ the two kings shall be under no restrictions,  
“ but may play for as much money as they  
“ please. The servants who attend upon the  
“ two kings at their head-quarters may play to  
“ the extent of twenty shillings. But if any  
“ other soldiers, servants, or sailors, shall be  
“ found playing for money among themselves,  
“ they shall be punished in the following man-  
“ ner, unless they can purchase a pardon from  
“ the commissioners, by paying what they shall  
“ think proper to demand: — Soldiers and ser-  
“ vants shall be stripped naked, and whipt  
“ through the army three days. Sailors shall be  
“ as often plunged from their ships into the sea,  
“ according to the custom of mariners.” <sup>149</sup>

<sup>148</sup> These commissioners are named in the preceding law.

<sup>149</sup> J. Brompt. Chron. p. 1182. Benedict. Abbas, tom. 2. p. 610.

of vessels at home) - equally strong (and in every respect) as  
that which was sent to the fleet in the Mediterranean. But if the  
vessels were not equal to those sent out before, they were  
equally unequal to those sent out before. And it is to be  
observed that the ships sent out were built by the  
Spaniards themselves, and were not made of wood (as was  
the case with those sent out before) (which was the chief  
cause of their being so much inferior to those sent out  
before). But the Spaniards had no such ships as  
those sent out before, and therefore could not build  
such ships as those sent out before. But the  
Spaniards had no such ships as those sent out before,  
and therefore could not build such ships as those sent out before.  
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APPENDIX  
TO THE  
THIRD BOOK.

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NUMBER I.

Magna Carta Regis Johannis, xv die Junii  
MCCXV. Anno Regni xvii.

JOHANNES Dei gratia rex Anglie dominus Hybernie  
dux Normannie Acquitanie et comes Andegavie archie-  
piscopis episcopis abbatibus comitibus baronibus justiciariis  
forestariis vicecomitibus prepositis ministris et omnibus  
ballivis et fidelibus suis salutem Sciat nos intuitu Dei et  
pro salute anime nostre et omnium antecessorum et here-  
dum nostrorum ad honorem Dei et exaltationem sancte  
ecclesie et emendationem regni nostri per consilium vene-  
rabilium patrum nostrorum Stephani Cant' archiepiscopi  
totius Anglie primatis et sancte Romane ecclesie cardinalis  
Henrici Dublin' archiepiscopi Willielmi London' Petri  
Winton' Joscelini Bathon' et Glaston' Hugonis Lin-  
coln' Walteri Wygorn' Willielmi Coventr' et Benedicti  
Roff' episcoporum magistri Pandolfi domini pape subdia-  
coni et familiaris fratris Eymerici magistri militie templi  
in Anglia et nobilium virorum Willielmi Mariscalli  
comitis Penbrok Willielmi comitis Sar' Willielmi comitis  
Warenn' Willielmi comitis Arundell' Alani de Galweya  
consta-

No. I.

- No. I. constabularii Scottie Warini filii Geroldi Petri filii Hereberti Huberti de Burgo senescalli Pictavie Hugonis de Nevill' Mathei filii Hereberti Thome Basset Alani Basset Philippi de Albin' Roberti de Roppel' Johannis Mariscalli Johannis filii Hugonis et aliorum fidelium nostrorum
- I In primis concessisse Deo et hac presenti carta nostra confirmasse pro nobis et heredibus nostris in perpetuum quod Anglicane ecclesia libera sit et habeat jura sua integra et libertates suas illesas et ita volumus observari quod appetit ex eo quod libertatem electionum que maxima et magis necessaria reputatur ecclesie Anglicane mera et spontanea voluntate ante discordiam inter nos et barones nostros motam concessimus et carta nostra confirmavimus et eam optinuimus a domino papa Innocentio tertio confirmari quam et nos observabimus et ab heredibus nostris in perpetuum bona fide volumus obsarvari Concessimus etiam omnibus liberis hominibus regni nostri pro nobis et heredibus nostris in perpetuum omnes libertates subscriptas habendas et tenendas eis et heredibus suis de nobis et heredibus nostris Si quis comitum vel baronum nostrorum sive aliorum tenentium de nobis in capite per servitium militare mortuus fuerit et cum deceperit heres suus plene etatis fuerit et relevium debeat habeat hereditatem suam per antiquum relevium scilicet heres vel heredes comitis de baronia comitis integra per centum libras heres vel heredes baronis de baronia integra per centum libras heres vel heredes militis de feodo militis integro per centum solidos ad plus et qui minus debuerit minus det secundum antiquam consuetudinem feodorum Si autem eres alicujus talium fuerit infra etatem et fuerit in custodia cum ad etatem pervenerit habeat hereditatem suam sine relevio et sine fine Custos terre hujusmodi heredis qui infra etatem fuerit non capiat de terra heredis nisi rationables exitus et rationabiles consuetudines et rationabilia servitia et hoc sine destructione et vasto hominum vel rerum et si nos commiserimus custodiam alicujus talis terre vicecomiti vel alicui

No. I.

alicui alii qui de exitibus illius nobis respondere debeat et  
 ille destructionem de custodia fecerit vel vastum nos ab  
 illo capiemus emendam et terra committatur duobus lega-  
 libus et discretis hominibus de feodo illo qui de exitibus  
 respondeant nobis vel ei cui eos assignaverimus et si dede-  
 rimus vel vendiderimus alicui custodiam alicujus talis terre  
 et ille destructionem inde fecerit vel vastum amittat ipsam  
 custodiam et tradatur duobus legalibus et discretis homi-  
 nibus de feodo illo qui similiter nobis respondeant sicut pre-  
 dictum est. Custos autem quamdiu custodiā terre ha-  
 buerit sustentet domos parcos vivaria stagna molendina et  
 cetera ad terram illam pertinentia de exitibus terre ejus-  
 dem et reddat heredi cum ad plenam etatem pervenerit  
 terram suam totam instauratam de carrucis et wainnagiis  
 secundum quod tempus wainnagii exigit et exitus terre  
 rationabiliter poterunt sustinere. Heredes maritentur  
 absque disparagatione ita tamen quod antequam contra-  
 hatur matrimonium ostendatur propinquis de consanguini-  
 tate ipsius heredis. Vidua post mortem mariti sui statim  
 et sine difficultate habeat maritagium et hereditatem suam  
 nec aliquid det pro dote sua vel pro maritacio suo vel here-  
 ditate sua quam hereditatem maritus suus et ipsa tenuer-  
 int die obitus ipsius mariti et maneat in domo mariti sui  
 per quadraginta dies post mortem ipsius infra quos assig-  
 netur ei dos sua. Nulla vidua distingatur ad se maritan-  
 dum dum voluerit vivere sine marito ita tamen quod secu-  
 ritatem faciat quod se non maritabit sine assensu nostro si de  
 nobis tenuerit vel sine assensu domini sui de quo tenuerit si  
 de alio tenuerit. Nec nos nec ballivi nostri se siemus ter-  
 ram aliquam nec redditum pro debito aliquo quamdiu  
 catalla debitoris sufficiunt ad debitum reddendum nec  
 pleggii ipsius debitoris distingantur quamdiu ipse capitalis  
 debitor sufficit ad solutionem debiti et si capitalis debitor  
 defecerit in solutione debiti non habens unde solvat pleggii  
 respondeant de debito et si voluerint habeant terras et red-  
 ditus debitoris donec sit eis satisfactum de debito quod ante  
 pro

- No. I. pro eo solverint nisi capitalis debitor monstraverit se esse quietum inde versus eosdem plegios Si quis mutuo 10 ceperit aliquid a Judeis plus vel minus et moriatur antequam debitum illud solvatur debitum non usuret quamdiu heres fuerit infra etatem de quocumque teneat et si debitum illud inciderit in manus nostras nos non capiemus 11 nisi catallum contentum in carta Et si quis moriatur et debitum debeat Judeis uxor ejus habeat dotem suam et nichil reddat de debito illo et si liberi ipsius defuncti qui fuerint infra etatem remanserint provideantur eis necessaria secundum tenementum quod fuerit defuncti et de residuo solvatur debitum salvo servitio dominorum simili modo fiat 12 de debitis que debentur aliis quam Judeis Nullum scutagium vel auxilium ponatur in regno nostro nisi per commune consilium regni nostri nisi ad corpus nostrum redimendum et primogenitum filium nostrum militem faciendum et ad filiam nostram primogenitam semel maritandum et ad hec non fiat nisi rationabile auxilium simili modo fiat 13 de auxiliis de civitate London' Et civitas London' habeat omnes antiquas libertates et liberas consuetudines suas tam per terras quam per aquas Preterea volumus et concedimus quod omnes alie civitates et burgi et ville et portus habeant omnes libertates et liberas consuetudines suas 14 Et ad habendum commune consilium regni de auxilio assidendo aliter quam in tribus casibus predictis vel de scutagio assidendo summoneri faciemus archiepiscopos episcopos abbates comites et maiores barones sigillatim per litteras nostras et preterea summoneri in generali per vicecomites et ballivos nostros omnes illos qui de nobis tenent in capite ad certum diem scilicet ad terminum quadraginta dierum ad minus et ad certum locum et in omnibus litteris illius summonitionis causam summonitionis exprimemus et sic facta summonitione negotium ad diem assignatum procedat secundum consilium illorum qui presentes fuerint quamvis non omnes summoniti venerint Nos non concedemus de cetero alicui quod capiat auxilium

auxilium de liberis hominibus suis nisi ad corpus suum redi-  
 mendum et ad faciendum primogenitum filium suum mili-  
 tem et ad primogenitam filiam suam semel maritandam et  
 ad hec non fiat nisi rationabile auxilium Nullus distri-  
 gatur ad faciendum majus servitium de feodo militis nec  
 de alio libero tenemento quam inde debetur Communia 17  
 placita non sequantur curiam nostram sed teneantur in  
 aliquo loco certo Recognitiones de nova dissaisina de 18  
 morte antecessoris et de ultima presentatione non capiantur  
 nisi in suis comitatibus et hoc modo Nos vel si extra  
 regnum fuerimus capitalis justiciarius noster mittemus  
 duos justiciarios per unumquemque comitatum per qua-  
 tuor vices in anno qui cum quatror militibus cujuslibet  
 comitatus electis per comitatum capiant in comitatu et in  
 die et loco comitatus assisas predictas Et si in die comi-  
 tatus assise predictae capi non possint tot milites et libere  
 tenentes remaneant de illis qui interfuerint comitati die  
 illo per quos possint judicia sufficienter fieri secundum  
 quod negotium fuerit majus vel minus Liber homo non 20  
 amercietur pro parvo delicto nisi secundum modum delicti  
 et pro magno delicto amercietur secundum magnitudinem  
 delicti salvo contenemento suo et mercator eodem modo  
 salva merchandisa sua et villanus eodem modo amercietur  
 salva wainnagio suo si inciderint misericordiam nostram  
 et nulla predictarum misericordiarum ponatur nisi per 21  
 sacramentum proborum hominum de visneto Comites et  
 barones non amerciantur nisi per pares suos et non nisi  
 secundum modum delicti Nullus clericus amercietur de 22  
 laico tenemento suo nisi secundum modum aliorum pre-  
 dictorum et non secundum quantitatem beneficii sui ecclie-  
 siastici Nec villa nec homo distingatur facere pontes ad 23  
 riparias nisi qui ab antiquo et de jure facere debent  
 Nullus vicecomes constabularius coronatores vel alii ballivi  
 nostri teneant placita corone nostre Omnes comitatus 24  
 hundredi wapentak' et trething' sint ad antiquas firmas  
 absque ullo incremento exceptis dominicis manetiis  
 25 nostris

## APPENDIX.

- No. I. nostris Si aliquis tenens de nobis laicum feodum moriatur et vicecomes vel ballivus noster ostendat litteras nostras patentes de summonitione nostra de debito quod defunctus nobis debuit liceat vicecomiti vel ballivo nostro attachiare et inbreviare catalla defuncti inventa in laico feodo ad valentiam illius debiti per visum legalium hominum ita tamen quod nichil inde amoveatur donec persolvatur nobis debitum quod clarum fuerit et residuum relinquatur executoribus ad faciendum testamentum defuncti et si nichil nobis debeatur ad ipso omnia catalla cedant defuncto salvis uxori ipsius et pueris rationabilibus partibus suis Si aliquis liber homo intestatus deceperit catalla sua per manus propinquorum parentum et amicorum suorum per visum ecclesie distribuantur salvis unicuique debitiss que defunctus ei debebat Nullus constabularius vel alias ballivus noster capiat blada vel alia catalla alicujus nisi statim inde reddat denarios aut respectum inde habere possit de voluntate vendoris Nullus constabularius distringat aliquem militem ad dandum denarios pro custodia castrorum si faceret voluerit custodiam illam in propria persona sua vel per alium probum hominem si ipse eam facere non possit propter rationabilem causam et si nos duxerimus vel miserimus eum in exercitum erit quietus de custodia secundum quantitatatem temporis quo per nos fuerit in exercitu Nullus vicecomes vel ballivus noster vel aliquis alias capiat equos vel caretas alicujus liberi hominis pro cariagio faciendo nisi de voluntate ipsius liberi hominis Nec nos nec ballivi nostri capiemus alienum boscum ad castra vel alia agenda nostra nisi per voluntatem ipsius cuius boscus ille fuerit Nos non tenebimus terras illorum qui convicti fuerint de feloniam nisi per unum annum et unum diem et tunc reddantur terre dominis feodorum Omnes kydelli de cetero deponantur penitus de Thamisia et de Medewaye et per totam Angliam nisi per costeram maris Breve quod vocatur Precipe de cetero non fiat alicui de aliquo tenemento unde liber homo amittere possit

possit curiam suam. Una mensura vini sit per totum regnum nostrum et una mensura cervisie et una mensura bladi scilicet quarterium London' et una latitudo panorum tinctorum et russettorum et halbergettorum scilicet due ulne infra listas de ponderibus autem sit ut de mensuris Nichil detur vel capiatur de cetero pro brevi inquisitionis de vita vel membris fet gratis concedatur et non negetur Si aliquis teneat de nobis per feodifirmam vel per sokagium vel per burgagium et de alio terram teneat per servitium militare nos non habebimus custodiam heredis nec terre sue que est de feodo alterius occasione illius feodifirma vel sokagii vel burgagii nec habebimus custodiam illius feodifirme vel sokagii vel burgagii nisi ipsa feodifirma debeat servitium militare Nos non habebimus custodiam heredis vel terre alicujus quam tenent de alio per servitium militare occasione alicujus parve sergenterie quam tenet de nobis per servitium reddendi nobis cultellos vel sagittas vel hujusmodi Nullus ballivus ponat de cetero aliquem ad legem simplici loquela sua sine testibus fidelibus ad hoc inductis Nullus liber homo capiatur vel imprisonetur aut diffaisiatur aut utlagetur aut aliquo modo destruatur nec super eum ibimus nec super eum mittemus nisi per legale judicium parium suorum vel per legem terre Nulli vendemus nulli negabimus aut differemus rectum aut justiciam Omnes mercatores habeant salvum et securum exire de Anglia et venire in Angliam et morari et ire per Angliam tam per terram quam per aquam ad emendum et vendendum sine omnibus malis tollis per antiquas et rectas consuetudines preterquam in tempore gwerre et si fint de terra contra nos gweriva et si tales inveniantur in terra nostra in principio gwerre attachiantur sine dampno corporum et rerum donec sciatur a nobis vel capitali justiciario nostro quomodo mercatores terre nostre tractentur qui tunc invenientur in terra contra nos gweriva et si nostri salvi fint ibi alii salvi fint in terra nostra Liceat unicuique de cetero exire de regno nostro et redire salvo et secure per terram

No. I.

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No. I.

et per aquam salva sida nostra nisi tempore gwerre per aliquod breve tempus propter communem utilitatem regni exceptis imprisonatis et utlagatis secundum legem regni et gente de terra contra nos gwerriva et mercatoribus de quibus fiat sicut predictum est Si quis tenuerit de aliqua escaeta sicut de honore Walingeford Notingeham Bon' Lainkastr' vel de aliis eskaetis que sunt in manu nostra et sunt baronie et obierit heres ejus non det aliud relevium nec faciat nobis aliud servitium quam faceret baroni si baronia illa esset in manu baronis et nos eodem modo eam tenemus quo baro eam tenuit Homines qui manent extra forestam non veniant de cetero coram justiciariis nostris de foresta per communes summonitiones nisi sint in placito vel pleggii alicujus vel aliquorum qui attachiati sint pro foresta Nos non faciemus justiciarios constabularios vicecomites vel ballivos nisi de talibus qui sciant legem regni et eam bene velint observare Omnes barones qui fundaverunt abbatias unde habent cartas regum Anglie vel antiquam tenuram habeant earum custodiam cum vacaverint sicut habere debent Omnes foreste que aforestate sunt tempore nostro statim deafforestentur et ita fiat de ripariis que per nos tempore nostro posite sunt in defenso Omnes male consuetudines de forestis et warennis et de forestariis et warrenariis vicecomitibus et corum ministris ripariis et earum custodibus statim inquirantur in quolibet comitatu per duodecim milites juratos de eodem comitatu qui debent eligi per probos homines ejusdem comitatus et infra quadraginta dies post inquisitionem factam penitus ita quod numquam revocentur deleantur per eosdem ita quod nos hoc sciamus prius vel justiciarius noster si in Anglia non fuerimus Omnes obsides et cartas statim reddemus que liberate fuerunt nobis ab Anglicis in securitatem pacis vel fidelis servitii Nos amovebimus penitus de balliis parentes Gerardi de Athyes quod de cetero nullam habeant balliam in Anglia Engelardum de Cygony Andream Petrum et Gyonem de Cancell' Gyoneim de Cygony

No. I.

Cygony Galfridum de Martyni et fratres ejus Philippum  
 Mark et fratres ejus et Galfridum nepotem ejus et totam  
 sequelam eorumdem Et statim post pacis reformationem  
 amovebimus de regno omnes alienigenas milites balistarios  
 servientes stipendiarios qui venerint cum equis et armis ad  
 nocumentum regni Si quis fuerit desseisitus vel elongatus 52  
 per nos sine legali judicio parium suorum de terris castallis  
 libertatibus vel jure suo statim ea ei restituemus et si con-  
 tentio super hoc orta fuerit tunc inde fiat per judicium yi-  
 ginti quinque baronum de quibus fit mentio inferius in  
 securitate pacis de omnibus autem illis de quibus aliquis  
 disseisitus fuerit vel elongatus sine legali judicio parium  
 suorum per Henricum regem patrem nostrum vel per Ri-  
 cardum regem fratrem nostrum que in manu nostra ha-  
 bemus vel que alii tenent que nos oporteat warantizare  
 respectum habebimus usque ad communem terminum cruce-  
 signatorum exceptis illis de quibus placitum motum fuit  
 vel inquisitio facta per preceptum nostrum ante suscep-  
 tionem crucis nostre cum autem redierimus de peregrina-  
 tione nostra vel si forte remanserimus a peregrinatione  
 nostra statim inde plenam justiciam exhibebimus Eundem 53  
 autem respectum habebimus et eodem modo de justicia  
 exhibenda de forestis de afforestandis vel remansuris forestis  
 quas Henricus pater noster vel Ricardus frater noster affo-  
 restaverunt et de custodiis terrarum que sunt de alieno feodo  
 cuiusmodi custodias hucusque habuimus occasione feodi  
 quod aliquis de nobis tenuit per servitium militare et de  
 abbatiis que fundate fuerint in feodo alterius quam nostro  
 in quibus dominus feodi dixerit se jus habere et cum re-  
 dierimus vel si remanserimus a peregrinatione nostra super  
 hiis conquerentibus plenam justiciam statim exhibebimus  
 Nullus capiatur nec imprisonetur propter appellum femine 54  
 de morte alterius quam viri sui Omnes fines qui injuste  
 et contra legem terre facti sunt nobiscum et omnia amer-  
 ciamenta facta injuste et contra legem terre omnino con-  
 donentur vel fiat inde per judicium yiginti quinque ba- 55  
 ronum

No. I.

- ronum de quibus fit mentio inferius in securitate pacis vel per judicium majoris partis eorumdem una cum predicto Stephano Cant' archiepiscopo si interesse poterit et aliis quos secum ad hoc vocare voluerit et si interesse non poterit nichilominus procedat negotium sine eo ita quod si aliquis vel aliqui de predictis viginti quinque baronibus fuerint in simili querela amoveantur quantum ad hoc judicium et alii loco illorum per residuos de eisdem viginti quinque tantum ad hoc faciendum electi et jurati substituantur. Si nos disfaçivimus vel elongavimus Walenses de terris vel libertatibus vel rebus aliis sine legali judicio parium suorum in Anglia vel in Wallia eis statim reddantur et si contentio super hoc orta fuerit tunc inde fiat in marchia per judicium parium suorum de tenementis Anglie secundum legem Anglie de tenementis Wallie secundum legem Wallie de tenementis marchie secundum legem marchie idem facient Walenses nobis et nostris.
- 56 De omnibus autem illis de quibus aliquis Walensium disfaçitus fuerit vel elongatus sine legali judicio parium suorum per Henricum regem patrem nostrum vel Richardum regem fratrem nostrum que nos in manu nostra habemus vel que alii tenent que nos oporteat warantizare respectum habebimus usque ad communem terminum crucifignatorum illis exceptis de quibus placitum motum fuit vel inquisitio facta per preceptum nostrum ante susceptionem crucis nostre cum autem redierimus vel si forte remanferimus a peregrinatione nostra statim eis inde plenam justiciam exhibebimus secundum leges Walensem et partes predictas Nos reddemus filium Lewelini statim et omnes obsides de Wallia et cartas que nobis
- 57 liberae fuerunt in securitatem pacis Nos faciemus Allexandro regi Scottorum de fororibus suis et obsidibus reddendis et libertatibus suis et jure suo secundum formam in qua faciemus aliis baronibus nostris Anglie nisi aliter esse debeat per cartas quas habemus de Willielmo patre ipsius quondam rege Scottorum et hoc erit per judicium parium suorum.

## APPENDIX.

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fuorum in curia nostra. Omnes autem istas consuetudines No. I.  
 predictas et libertates quas nos concessissimus in regno  
 nostro tenendas quantum ad nos pertinet erga nostros 60  
 omnes de regno nostro tam clerici quam laici observent  
 quantum ad se pertinent erga suos. Cum autem pro Deo 61  
 et ad emendationem regni nostri et ad melius sopiendum  
 discordiam inter nos et barones nostros ortam hec omnia  
 predicta concederimus volentes ea integra et firma stabili-  
 litate gaudere in perpetuum facimus et concedimus eis se-  
 curitatem subscriptam videlicet quod barones eligant vi-  
 ginti quinque barones de regno quos voluerint qui debeant  
 pro totis viribus suis observare tenere et facere observari  
 pacem et libertates quas eis concessimus et hac presenti  
 carta nostra confirmavimus ita scilicet quod si nos vel  
 justiciarius noster vel ballivi nostri vel aliquis de ministris  
 nostris in aliquo erga aliquem deliquerimus vel aliquem  
 articulorum pacis aut securitatis transgressi fuerimus et  
 delictum ostensum fuerit quatuor baronibus de predictis  
 viginti quinque baronibus illi quatuor barones accedant ad  
 nos vel ad justiciarum nostrum si fuerimus extra regnum  
 proponentes nobis excessum petent ut excessum illum sine  
 dilatione faciamus emendari et si nos excessum non emen-  
 daverimus vel si fuerimus extra regnum justiciarius noster  
 non emendaverit infra tempus quadraginta dierum computandum  
 a tempore quo monstratum fuerit nobis vel justiciario  
 nostro si extra regnum fuerimus predicti quatuor  
 barones referant causam illam ad residuos de viginti  
 quinque baronibus et illi viginti quinque barones cum com-  
 munia totius terre distinguent et gravabunt nos modis om-  
 nibus quibus poterunt scilicet per captionem castrorum  
 terrarum possessionum et aliis modis quibus poterunt donec  
 fuerit emendatum secundum arbitrium eorum salva persona  
 nostra et regine nostre et liberorum nostrorum et cum  
 fuerit emendatum intendent nobis sicut prius fecerunt. Et  
 quicumque voluerit de terra juret quod ad predicta omnia  
 exequenda parebit mandatis predictorum viginti quinque

## APPENDIX.

No. I. baronum et quod gravabit nos pro posse suo cum ipsis et non publice et libere damus licentiam jurandi cuilibet qui jurare voluerit et nulli umquam jurare prohibebimus. Omnes autem illos de terra qui per se et sponte sua noluerint jurare viginti quinque baronibus de distingendo et gravando nos cum eis faciemus jurare eosdem de mandato nostro sicut predictum est. Et si aliquis de viginti quinque baronibus decesserit vel a terra recesserit vel aliquo alio modo impeditus fuerit quo minus ista predicta possent exequi qui residui fuerint de predictis viginti quinque baronibus eligant alium loco ipsius pro arbitrio suo qui simili modo erit juratus quo et ceteri. In omnibus autem que ipsis viginti quinque baronibus committuntur exequenda si forte ipsi viginti quinque presentes fuerint et inter se super re aliqua discordaverint vel aliqui ex eis summoniti nolint vel nequeant interesse ratum habeatur et firmum quod major pars eorum qui presentes fuerint providerit vel preceperit ac si omnes viginti quinque in hoc consensissent et predicti viginti quinque jurent quod omnia antedicta fideliter observabunt et pro toto posse suo facient observari. Et nos nichil impetrabimus ab aliquo per nos nec per alium per quod aliqua istarum concessionum et libertatum revocetur vel minuatur et si aliquid tale impetratum fuerit irritum sit et inane et numquam eo utemur

62 per nos nec per alium. Et omnes malas voluntates indignationes et rancores ortos inter nos et homines nostros clericos et laicos et tempore discordie plene omnibus remisimus et condonavimus. Preterea omnes transgressiones factas occasione ejusdem discordie a pascha anno regni nostri sextodecimo usque ad pacem reformatam plene remisimus omnibus clericis et laicis et quantum ad nos pertinet plene condonavimus. Et insuper fecimus eis fieri litteras testimoniales patentes domini Stephani Cant' archiepiscopi domini Henrici Dublin' archiepiscopi et episcoporum predictorum et magistri Pandolfi super securitate

63 ista et concessionibus prefatis Quare volumus et firmiter precipimus

precipimus quod Anglicana ecclesia libera sit et quod homines in regno nostro habeant et teneant omnes prefatas libertates jura et concessiones bene et in pace libere et quiete plene et integre sibi et heredibus suis de nobis et heredibus nostris in omnibus rebus et locis in perpetuum sicut predictum est Juratum est autem tam ex parte nostra quam ex parte baronum quod hec omnia supradicta bona fide et sine malo ingenio observabuntur Testibus supradictis et multis aliis Data per manum nostram in prato quod vocatur Runingmed' inter Windelesorum et Stanes quinto decimo die Junii anno regni nostri septimo decimo.

No. I.

## NUMBER II.

Translation of the Great Charter of King John,  
granted June 15th, A. D. 1215, in the seven-  
teenth Year of his Reign.

JOHN, by the grace of God, king of England, lord of Ireland, duke of Normandy and Aquitaine, and earl of Anjow, to all his archbishops, bishops, abbots, earls, barons, justiciaries, foresters, sheriffs, commanders, officers, and to all his bailiffs and faithful subjects, *wisheth* health. Know ye, that we, from our regard to God and for the salvation of our own soul, and of the souls of our ancestors, and of our heirs, to the honour of God, and the exhaltation of holy church and amendment of our kingdom, by the advice of our venerable fathers, Stephen archbishop of Canterbury, primate of all England, and cardinal of the holy Roman church, Henry archbishop of Dublin, William of London, Peter of Winchester, Joce-line of Bath and Glastonbury, Hugh of Lincoln, Walter

No. II.

of

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No. II. of Worcester, William of Coventry, Benedict of Rochester, bishops, master Pandulph, the pope's subdeacon and familiar brother Eymeric master of the knights-templars in England, and of these noble persons, William Marischal earl of Pembroke, William earl of Salisbury, William earl of Warren, William earl of Arundel, Allan of Galloway constable of Scotland, Warin Fitzgerald, Peter Fitz-Herbert, Hubert de Burgh steward of Poictou, Hugh de Nevil, Matthew Fitz-Herbert, Thomas Basset, Allan Basset, Philip de Albany, Robert de Roppel, John Marischal, John Fitz-Hugh, and of others of our liegemen, have granted to God, and by this our present charter, have confirmed, for us and our heirs for ever :—First, that the English church shall be free, and shall have her whole rights and her liberties unhurt ; and I will this to be observed in such a manner that it may appear from thence, that the freedom of elections, which was reputed most necessary to the English church, which we granted, and by our charter confirmed, and obtained the confirmation of it from pope Innocent III. before the rupture between us and our barons, was of our own free will. Which charter we shall observe ; and we will it to be observed with good faith, by our heirs for ever. — We have also granted to all the freemen of our kingdom, for us and our heirs for ever, all the underwritten liberties, to be enjoyed and held by them and their heirs, of us and our heirs. — If any of our earls or barons, or others who hold of us in chief by military service, shall die, and at his death his heir shall be of full age, and shall owe a relief, he shall have his inheritance for the ancient relief, viz. the heir or heirs of an earl, a whole earl's barony, for one hundred pounds ; the heir or heirs of a baron, a whole barony for one hundred pounds <sup>a</sup> ; the heir or heirs of a knight, a whole knight's

<sup>a</sup> This is *marks* in Matthew Paris, which is probably the right reading. M. Paris, p. 178. col. 1.

fee,

fee, for one hundred shillings at most ; and he who owes less, shall give less, according to the ancient custom of fees. — But if the heir of any such be under age, and in wardship, when he comes to age he shall have his inheritance without relief and without fine. — The warden of an heir who is under age, shall not take of the lands of the heir any but reasonable issues and reasonable customs, and reasonable services, and that without destruction and waste of the men or goods : and if we commit the custody of any such lands to a sheriff, or to any other person who is bound to answer to us for the issues of them, and he shall make destruction or waste upon the ward-lands, we will recover damages from him, and the lands shall be committed to two legal and discreet men of that fee, who shall answer for the issues to us, or to him to whom we have assigned them : and if we granted or sold to any one the custody of any such lands, and he shall make destruction or waste, he shall lose the custody ; and it shall be committed to two legal and discreet men of that fee, who shall answer to us in like manner as was said before. — Besides, the warden, as long as he hath the custody of the lands, shall keep in order the houses, parks, warrens, ponds, mills, and other things belonging to them, out of their issues ; and shall deliver to the heir, when he is at age, his whole estate provided with ploughs and other implements of husbandry, according to what the season requires, and the profits of the lands can reasonably afford. — Heirs shall be married without disparagement, and so that before the marriage is contracted, it shall be notified to the relations of the heir by consanguinity. — A widow, after the death of her husband, shall immediately, and without difficulty, have her marriage goods and her inheritance ; nor shall she give any thing for her dower, or her marriage goods, or her inheritance, which her husband and she held on the day of his death. And she may remain in her husband's house forty days after his

No. II.

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- No. II. his death, with which time her dower shall be assigned.
- 8 No widow shall be compelled to marry herself while she chuses to live without a husband, but so that she shall give security that she will not marry herself, without our consent, if she holds of us, or without the consent of the lord of whom she holds, if she holds of another. —
- 9 Neither we nor our bailiffs shall seize any land or rents for any debt, while the chattels of the debtor are sufficient for the payment of the debt; nor shall the sureties of the debtor be distrained, while the principal debtor is able to pay the debt: and if the principal debtor fail in payment of the debt, not having wherewith to pay, the sureties shall answer for the debt; and if they please, they shall have the lands and rents of the debtor, until satisfaction be made to them for the debt which they had before paid for him, unless the principal debtor can shew that he is dis-
- 10 charged from it by the said sureties. — If any one hath borrowed any thing from the Jews, more or less, and dies before that debt is paid, the debt shall pay no interest as long as the heir shall be under age, of whomsoever he holds; and if that debt shall fall into our hands, we will not take any thing, except the chattels contained in the bond. — And if any one dies indebted to the Jews, his wife shall have her dower, and shall pay nothing of that debt; and if children of the defunct remain who are under age, necessaries shall be provided for them, according to the tenement which belonged to the defunct; and out of the surplus the debt shall be paid, saving the rights of the lords of whom the lands are held. The same rules shall be observed with respect to debts owing to others
- 11 than Jews. — No scutage or aid shall be imposed, except by the common council of our kingdom, but for redeeming our body, — for making our eldest son a knight, and for once marrying our eldest daughter; and for these only a reasonable aid shall be demanded. This extends to the aids of the city of London. — And the city of London shall

shall have all its ancient liberties, and its free customs, as well by land as by water. Besides, we will and grant, that all other cities and burghs, and towns and sea-ports, shall have all their liberties and free customs. —— And to have a common council of the kingdom, to assess and aid, otherwise than in the three foresaid cases, or to assess a scutage, we will cause to be summoned the archbishops, bishops, earls, and greater barons, personally, by our letters; and besides, we will cause to be summoned in general by our sheriffs and bailiffs all those who hold of us in chief, to a certain day, at the distance of forty days at least, and to a certain place; and in all the letters of summons, we will express the cause of the summons; and the summons being thus made, the business shall go on at the day appointed, according to the advice of those who shall be present, although all who had been summoned have not come. —— We will not give leave to any one, for the future, to take an aid of his freemen, except for redeeming his own body, making his eldest son a knight, and marrying once his eldest daughter; and that only a reasonable aid. —— Let none be distrained to do more service for a knight's fee, nor for any other free tenement, than what is due from thence. —— Common pleas shall not follow our court, but shall be held in some certain place. —— Assizes upon the writs of Novel dessein, Mortdancester (death of the ancestor), and Darrien presentment (last presentation), shall not be taken but in their proper counties, and in this manner. —— We, or our chief justiciary when we are out of the kingdom, shall send two justiciaries into each county, four times a-year, who, with four knights of each county, chosen by the county, shall take the foresaid assizes, at a stated time and place, within the county. —— And if the foresaid assizes cannot be taken on the day of the county-court, let as many knights and freeholders, of those who were present at the county-court, remain behind, as by them the

No. II.

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## APPENDIX.

- No. II. the foresaid assizes may be taken, according to the greater or less importance of the busines. — A freeman shall not
- 20 be amerced for a small offence; but only according to the degree of the offence; and for a great delinquency, according to the magnitude of the delinquency, saving his contenement<sup>b</sup>; a merchant shall be amerced in the same manner, saving his merchandise, and a villain, saving his implements of husbandry. If they fall into our mercy, none of the foresaid amerciaments shall be assed, but by the oath of honest men of the vicinage. — Earls and barons shall not be amerced but by their peers, and that only according to the degree of their delinquency.
- 21 22 — No clerk shall be amerced for his lay-tenement, but according to the maner of others as aforesaid, and not according to the quantity of his ecclesiastical benefice.
- 23 — Neither a town nor a particular person shall be dis-  
trained to build bridges or embankments, except those
- 24 who anciently, and of right, are bound to do it. — No sheriff, constable, coroner, or bailiff of ours, shall hold
- 25 pleas of our crown. — All counties, hundreds, wapontacks, and trithings, shall be at the ancient rent, without
- 26 any increment, except our demefn-manors. — If any one holding of us a lay-fee dies, and the sheriff or our bailiff shall shew our letters-patent of our summons for a debt which the defunct owed to us, it shall be lawful for the sheriff or our bailiff to attach and register the chattels of the defunct found on that fee, to the amount of that debt, at the view of lawful men, so that nothing shall be removed from thence until our debt is paid to us. The clear overplus shall be left to the executors to fulfil the last-will of the defunct; and if nothing is owing to us by him, all the chattels shall fall to the defunct, saving
- 27 to his wife and children their reasonable shares. — If any freeman shall die intestate, his chattels shall be distributed

<sup>b</sup> See p. 83. of this volume.

by his nearest relations and friends, at the view of the church, saving to every one the debts which the defunct owed to him.—No constable or bailiff of ours shall take the corn or other goods of any one, without instantly paying money for them, unless he can obtain respite from the free will of the seller.—No constable (governor of a castle) shall distrain any knight to give money for castle-guard, if he is willing to perform it by his own person, or by another good man if he cannot perform it himself, for a reasonable cause. Or if we have carried or sent him into the army, he shall be excused from castle-guard, according to the space of time he hath been in the army at our command.—No sheriff or bailiff of ours, or any other person shall take the horses or carts of any freeman, to perform carriages, without the consent of the said freeman.—Neither we, nor our bailiffs, shall take another man's wood, for our castles or other uses, without the consent of him to whom the wood belongs.—We will not retain the lands of those who have been convicted of felony, above one year and one day, and then they shall be given up to the lord of the fee.—All kydells (wears) for the future shall be quite removed out of the Thames, the Medway, and through all England, except on the sea-coast.—The writ which is called *Precipe* for the future shall not be granted to any one concerning any tenement by which a freeman may lose his court.—There shall be one measure of wine through all our kingdom, and one measure of ale, and one measure of corn, viz. the quarter of London; and one breadth of dyed-cloth and of russels, and of halberjects, viz. two ells within the lists. It shall be the same with weights as with measures.—Nothing shall be given or taken for the future for the writ of inquisition of life or limb; but it shall be given *gratis*, and not denied.—If any hold of us by fee-farm, or socage, or burgage, and holds an estate of another by military service, we shall not have the

No. II.

## APPENDIX.

No. II. the custody of the heir, or of his land, which is of the fee of another, on account of that fee-farm, or foggage, or burgage, unless the fee-farm owes military service. We shall not have the custody of the heir, or of the land of any one, which he holds of another by military service, on account of any petty serjeantry which he holds of us  
 38 by giving us knives, arrows, or the like. —— No bailiff, for the future, shall put any man to his law, upon his own simple affirmation, without credible witnesses produced to  
 39 that purpose. —— No freeman shall be seized, or imprisoned or disseised, or outlawed, or any way destroyed, nor will we go upon him, nor will we send upon him, except by the legal judgment of his peers, or by the law  
 40 of the land <sup>c</sup>. —— To none will we sell, to none will we  
 41 deny, to none will we delay right or justice. —— All mer-  
 42 chants shall be safe and secure in coming into England, and going out of England, and staying and travelling through England, as well by land as by water, to buy and to sell, without any unjust exactions, according to ancient and right customs, except in time of war, and if they be  
 43 of a country at war against us. And if such are found in our dominions at the beginning of a war, they shall be apprehended without injury of their bodies and goods, until it be known to us, or to our chief justiciary how the merchants of our country are treated in the country at war against us; and if ours are safe there, the others shall  
 44 be safe in our country. —— It shall be lawful to any person, for the future, to go out of our kingdom, and to return, safely and securely, by land and by water, saving his allegiance, except in time of war, for some short space, for the common good of the kingdom, except prisoners, outlaws according to the law of the land, and people of the nation at war against us, and merchants who shall be treated as is said above. —— If any one holdeth of any  
 45 escheat, as of the honour of Wallingford, Nottingham,

<sup>c</sup> See p. 80. of this volume.

## APPENDIX.

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Boulogne, Lancastre, or of other escheats which are in our hands, and shall die, his heir shall not give any other relief, or do any other service to us, than he should have done to the baron, if that barony had been in the hands of the baron; and we will hold it in the same manner that the baron held it.—Men who dwell without the forest, shall not come, for the future, before our justiciaries of the forest, on a common summons, unless they be parties in a plea, or sureties for some person or persons who are attached for the forest.—We will not make men justiciaries, constables, sheriffs, or bailiffs, unless they understand the law of the land, and are well dispos'd to observe it.—All barons who have founded abbeys, of which they have charters of the kings of England, or ancient tenure, shall have the custody of them when they become vacant, as they ought to have.—All forests which have been made in our time, shall be immediately disforested; and it shall be so done with water-banks, which have been made in our time, in defiance.—All evil customs of forests and warrens, and of foresters and warreners, sheriffs and their officers, water-banks, and their keepers, shall immediately be inquired into by twelve knights of the same county, upon oath; who shall be chosen by the good men of the same county; and within forty days after the inquisition is made, they shall be quite destroyed by them never to be restored; provided that this be notified to us before it is done, or to our justiciary, if we are not in England.—We will immediately restore all hostages and charters, which have been delivered to us by the English, in security of the peace, and of their faithful service.—We will remove from their offices the relations of Gerard de Athyes; that, for the future, they shall have no office in England, Engelard de Cygony, Andrew, Peter, and Gyone de Chancell, Gyone de Cygony, Geoffery de Martin, and his brothers; Philip Mark, and his brothers; and Geoffery his grandson;

No. II.

## APPENDIX.

- No. II. and all their followers.—And immediately after the conclusion of the peace, we will remove out of the kingdom all foreign knights, cross-bow-men, and stipendiary soldiers, who have come with horses and arms to the molestation of the kingdom.—If any have been disseised or dispossessed by us, without a legal verdict of their peers, or their lands, castles, liberties or rights, we will immediately restore these things to them ; and if a question shall arise on this head, it shall be determined by the verdict of the twenty-five barons, who shall be mentioned below, for the security of the peace. But as to all those things of which any one hath been disseised or dispossessed, without a legal verdict of his peers, by king Henry our father, or king Richard our brother, which we have in our hand, or others hold with our warrants, we shall have respite, until the common term of the Croisaders, except those concerning which a plea had been moved, or an inquisition taken, by our precept, before our taking the cross. But as soon as we shall return from our expedition, or if, by chance, we shall not go upon our expedition, we shall immediately do complete justice therein.
- 53 —But we shall have the same respite, and in the same manner, concerning the justice to be done about disforesting or continuing the forests which Henry our father, or Richard our brother, had made ; and about the wardship of lands which are of the fee of some other person, but the wardship of which we have hitherto had, on account of a fee which some one held of us by military service ; and about abbeys which had been founded in the fee of another, and not in ours, in which abbeys the lord of the fee hath claimed a right. And when we shall have returned, or if we shall stay from our expedition, we shall immediately do complete justice in all these pleas.—No man shall be apprehended or imprisoned on *the appeal of a woman*, for the death of any other man than her husband.
- 54 —All fines that have been made with us unjustly, or contrary

contrary to the law of the land ; and all amerciaments  
 that have been imposed unjustly, or contrary to the law of  
 the land, shall be remitted, or disposed of by the verdict of  
 the twenty-five barons of whom mention is made below  
 for the security of the peace, or by the verdict of the  
 major part of them, together with the foresaid Stephen,  
 archbishop of Canterbury, if he can be present, and others  
 whom he may think fit to bring with him ; and if he can-  
 not be present, the business shall proceed notwithstanding  
 without him : but so, that if one or more of the foresaid  
 twenty-five barons have a similar plea, let them be re-  
 moved from that particular trial, and others elected and  
 sworn by the residue of the same twenty-five, be substi-  
 tuted in their room, only for that trial.—If we have  
 disseised or dispossessed any Welshmen of their land, li-  
 berties or other things, without a legal verdict of their  
 peers, in England or in Wales, they shall be immediately  
 restored to them ; and if a question shall arise about it,  
 then let it be determined in the marches by the verdict of  
 their peers ; if the tenement be in England, according to  
 the law of England : if the tenement be in Wales, ac-  
 cording the law of Wales : if the tenement be in the  
 marches, according to the law of the marches. The  
 Welsh shall do the same to us and our subjects.—But  
 concerning those things of which any Welshman hath been  
 disseised or dispossessed without a legal verdict of his peers,  
 by king Henry our father, or king Richard our brother,  
 which we have in our hand, or others hold with our war-  
 ranty, we shall have respite, until the common term of  
 the Croisaders, except those concerning which a plea had  
 been moved, or an inquisition taken, by our precept, before  
 our taking the crofs. But as soon as we shall return from  
 our expedition ; or if by chance, we shall not go upon  
 our expedition, we shall immediately do complete justice  
 therein, according to the laws of Wales, and the parts  
 aforesaid.—We will immediately deliver up the son of

No. II.

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## APPENDIX.

No. II. Leweline, and all the hostages of Wales, and charters which have been given to us for security of the peace.

59 —— We shall do to Alexander king of Scotland, concerning the restoration of his sisters and hostages, and his liberties and rights, according to the form in which we act to our other barons of England, unless it ought to be otherwise by charters which we have from his father William late king of Scotland, and that by the verdict of his

60 peers in our court.—— But all these foreaid customs and liberties which we have granted in our kingdom, to be held by our tenants, as far as concerns us, all our clergy and laity shall observe towards their tenants, as far as concerns them.—— But since we have granted all these things aforesaid, for God, and to the amendment of our kingdom, and for the better extinguishing the discord arisen between us and our barons, being desirous that these things should possess entire and unshaken stability for ever, we give and grant to them the security underwritten, viz. That the barons may elect twenty-five barons of the kingdom, whom they please, who shall with their whole power, observe and keep, and cause to be observed, the peace and liberties which we have granted to them, and have confirmed by this our present charter, in this manner. That if we, or our justiciary, or our bailiffs, or any of our officers, shall have injured any one in any thing, or shall have violated any article of the peace or security, and the injury shall have been shown to four of the aforesaid twenty-five barons, these four barons shall come to us, or to our justiciary if we are out of the kingdom, and making known to us the excess committed, require that we cause that excess to be redressed without delay; and if we shall not have redressed the excess, or, if we have been out of the kingdom, our justiciary shall not have redressed it within the term of forty days, computing from the time in which it shall have been made known to us, or to our justiciary if we have been out of the kingdom, the

foreaid

foresaid four barons shall lay that cause before the residue of the twenty-five barons ; and these twenty-five barons, with the community of the whole land, shall distress and harass us by all the ways in which they can, that is to say, by the taking of our castles, lands, and possessions, and by other means in their power, until the excess shall have been redressed, according to their verdict ; saving our person, and the persons of our queen and children ; and when it hath been redressed, they shall behave to us as they had done before : and whoever of our land pleaseth, may swear, that he will obey the commands of the foresaid twenty-five barons, in accomplishing all the things aforesaid, and that with them he will harass us to the utmost of his power : and we publickly and freely give leave to every one to swear who is willing to swear ; and we will never forbid any man to swear. But all those of our land, who, of themselves, and their own accord, are unwilling to swear to the twenty-five barons, to distress and harass us together with them, we will compel them by our command, to swear as aforesaid. And if any one of the twenty-five barons shall die, or remove out of the land, or in any other way shall be prevented from executing the things above said, those who remain of the twenty-five barons shall elect another in his place, according to their pleasure, who shall be sworn in the same manner as the rest. But in all those things which are appointed to be done by these twenty-five barons, if it happen that all the twenty-five have been present, and have differed in their opinions about any thing, or if some of them who had been summoned, would not, or could not be present, that which the major part of those who were present shall have provided and decreed, shall be held as firm and valid, as if all the twenty-five had agreed in it. And the foresaid twenty-five shall swear, that they will faithfully observe, and, to the utmost of their power, cause to be observed, all the things mentioned above. And we will

## APPENDIX.

No. II. obtain nothing from any one, by ourselves, or by another, by which any of these concessions and liberties may be revoked or diminished. And if any such thing hath been obtained, let it be void and null; and we will never use it, either by ourselves or by another. And we have fully remitted and pardoned to all men, all the ill-will, rancour, and resentments which have arisen between us and our subjects, both clergy and laity, from the commencement of the discord. Besides, we have fully remitted to all the clergy and laity, and as far as belongs to us, we have fully pardoned all transgressions committed on occasion of the said discord, from Easter, in the sixteenth year of our reign, to the conclusion of the peace. And, moreover, we have caused to be made to them testimonial letters-patent of my lord Stephen archbishop of Canterbury, my lord Henry archbishop of Dublin, and of the foresaid bishops, and of Mr. Pandulf, concerning this security, and the foresaid concessions. Wherefore, our will is, and we firmly command, that the church of England be free, and that the men in our kingdom have and hold all the foresaid liberties, rights, and concessions, well and in peace, freely and quietly, fully and entirely, to them and their heirs, of us and our heirs, in all things and places for ever as aforesaid. An oath hath been taken, as well on our part, as on the part of the barons, that all these things mentioned above shall be observed in good faith, and without any evil intention, before the above-named witnesses, and many others. Given by our hand in the meadow, which is called *Runingmed*, between Windsor and Stains, this fifteenth day of June, in the seventeenth year of our reign.

## NUMBER III.

## AD PETRUM AMICUM MEDICUM.

**ARGUMENTUM.]** Indicat Petro Medicinæ perito se ex intinere ægrum nobilem virum invisisse, & medicinam illi fecisse: rationem morbi & medicinæ exponit; ac de cætero ægrum illius curæ committit.

*Charissimo amico suo PETRO, Magister P. Blesensis, salutem  
in vero salutari.*

**N**UPER ingrediebar Ambasiam, ubi vir nobilis Geldewinus graviter ægrotabat: occurritque mihi dominus castræ, rogans humiliter & obnixe, ut diverterem ad infirmum. Afferebat enim quod etsi manum curationis ei non apponere, haberet tamen ex visitatione mea qualemcumque solatum. Ad instantia mitaque magnatum, qui pro infirmo devotissime supplicabant, triduum ibi feci. Et quia propter occupationes meas, quas ipse novistis, moram non poteram ibi facere longiorem, consilium meum fuit, ut vocarent vos; pinguique retributione vestram circa infirmum diligentiam excitarent. Licet autem sitis circumspectus in his, tanquam similia frequenter expertus: quia tamen testimonio Hippocratis est experimentum fallax, & quandoque uni revelat Dominus, quod abscondit ab aliis: non tñdeat vos audire hujus ægritudinis modum: symptomata etiam, quæ plenius vos instruent; et quibus auxiliis in ægritudine fit utendum. Commune quidem medicorum vitium est, semper circa ægritudines variare: unde si tres aut quatuor ad infirmum veniunt, nunquam in assignatione causæ, vel exhibitione curæ conveniunt. Porro, sicut nos duo sumus conformes in votis, sic & decet, ut identitas sit in nostris operibus, & in verbis. Ego siquidem primitias curationis adhibui: certusque sum,

No. III.

No. III. sum, quod assèquetur de facili sanitatem, si sit qui prudenter continuet manum suam. Noveritis autem certissime, quia medium hemeritæum patitur: cum enim patiatur continue de tertio in tertium, magis affligitur. Scitis autem quod si minor hemeritæus esset, cum habeat generari ex phlegmate putrefacto in vasis, & extra, suos numquam tertiatum assultus. Quod si major hemeritæus esset, propter putrefactionem melancholiæ intus & extra in motu materiae interioris, æger etiam motum & aptitudinem membrorum amitteret: dentes etiam ipsius ad se invicem clauderentur. Quæ omnia, quia in hac febre minime accidunt, constat medium esse hemeritæum provenientem ex cholera in vasis & stomacho putrefacta. Nam si in hepate putrefacta esset, quod quandoque solet accidere, urina rubea & tenuis minaretur adustionem, & ad nigredinem pertineret: quod, quia non accidit videtis materiam in vasis & stomacho residere. Ex quo igitur veni, quia ipsa die cum febris invaserat, feci ei venam hepaticam aperiri. Et quia, dum morbus in augmento est (quod ex eo liquet, quia adhuc est urina rubea & tenuis), nondum est purgatione utendum, usus sum repressivis, oleumque violaceum super cor & hepar, ac fronti ejus apposui. Restat igitur, ut cum urina spissior plenæ digestionis tempus nuntiaverit, detis ei frigidum caphonis quod dare tutius est, quam oxi, vel aliud: nam in illo tota malitia scammoneæ beneficio decoctionis evanuit. Optima etiam ei esset decoctione cassiae fistulæ myrobalanorum citrinorum cum capillis Veneris et seminibus citroli, cucurbitæ, & melonis: si tamen infirmi vires hæc videritis posse pati. Dietam, sicut scitis, oportet esse perteneum: ptisanam scilicet, & micam panis ter in aquis aut quater ablutam, fomentationesque de maluis, & violis, & papavere, non deficiant circa pedes: nam ibi calor plurimum invalescit. Si vero vehemens calor arcem capitatis, sicut evenire solet, invaserit, radatur caput, atque aqua rosacea, & succo solatri, ac semper vivæ, crassulæ etiam,

& vermicularis, atque plantaginis, pannorum intinctione, No. III.  
caput, frons, & tempora mulceantur. Propter ingruen-  
tiam sitis lingua lavetur, sicut scitis, cum psyllio, ligno-  
radatur. Ad insomnitates, papaveris nigri, maluæ, violæ  
hyoscyami decoctio pedibus, herbæque decoctæ capiti  
apponantur. Contra inobedientiam ventris fiat supposito-  
rium, aut clystere. Hæc ideo scribo vobis, non ut in-  
digeatis instrui, sed ut vobis securior, & ægroto acceptior  
fit medicina, quæ de nostra communi deliberatione pro-  
cedit. Frequenter enim ex aptitudine medici gratiosa, ex  
quadam confidentia quam ægrotus inde concipit, natura  
jam deficiens convalescit. Oportet igitur vos circa hunc  
circumspectum esse ac strenuum, de cuius convalescentia,  
& magni titulus honoris vobis accrescat, & utilitas respon-  
debit ad votum.

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## NUMBER IV.

Permission of Richard I. for holding tournaments  
in England.

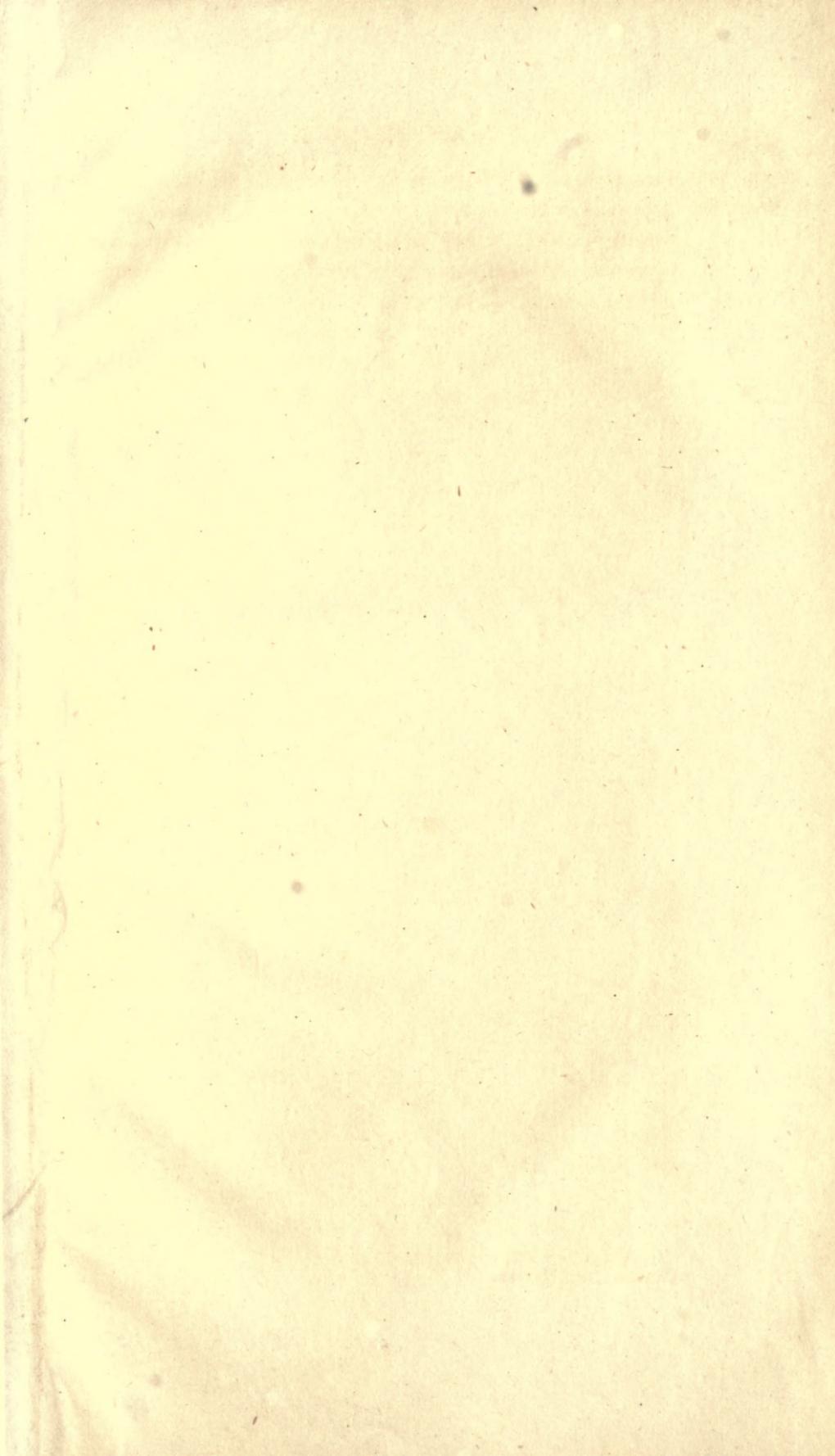
RICHARD, by the grace of God, &c. to the reverend No. IV.  
father in Christ, Hubert, Arch. of Cant. &c.  
greeting. Know that we have permitted tournaments to  
be held in England, in five places; between Sarum and  
Wilton, between Warewicke and Kenelingworthe, be-  
tween Stamford and Warrinford [Wallingford], between  
Brakeley and Mixebury, between Blie and Tykehill; yet  
so that the peace of our land be not broken, nor justice  
hindred, nor damage done to our forests. And an earl  
who shall turney there, shall pay us 20 marcs, and a baron  
10 marcs, and a knight who has land, 4 marcs, and a  
knight who has no land, 2 marcs. No foreigner shall  
turney

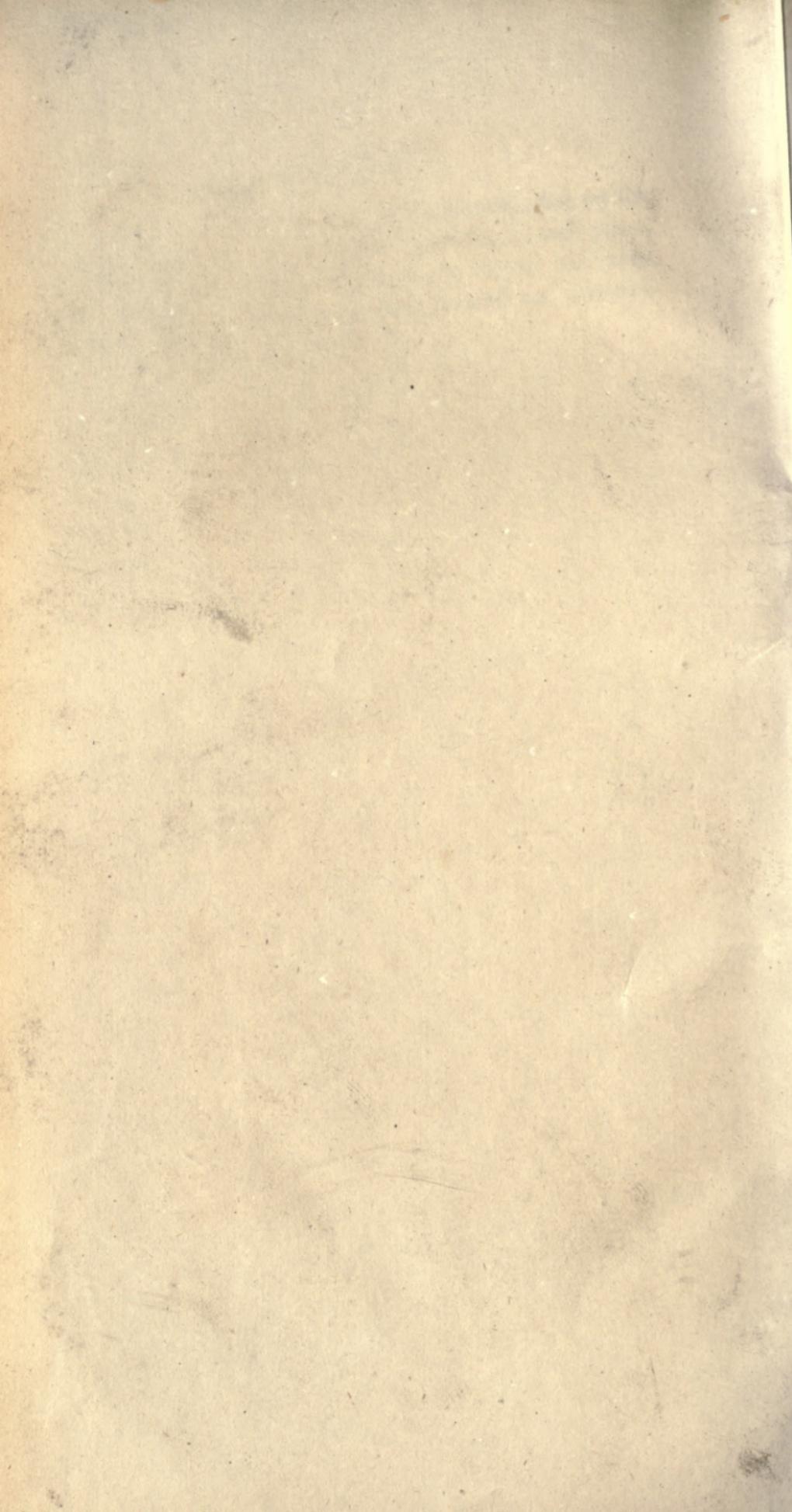
No. IV. turney there. Wherefore we command you, that on the day of the tournament you shall provide, at each place, two clerks and [your] two knights, to receive the oaths from the earls and barons, for their satisfaction, concerning the aforesaid sums, &c.

**END OF THE SIXTH VOLUME.**

VI. FORMULAE

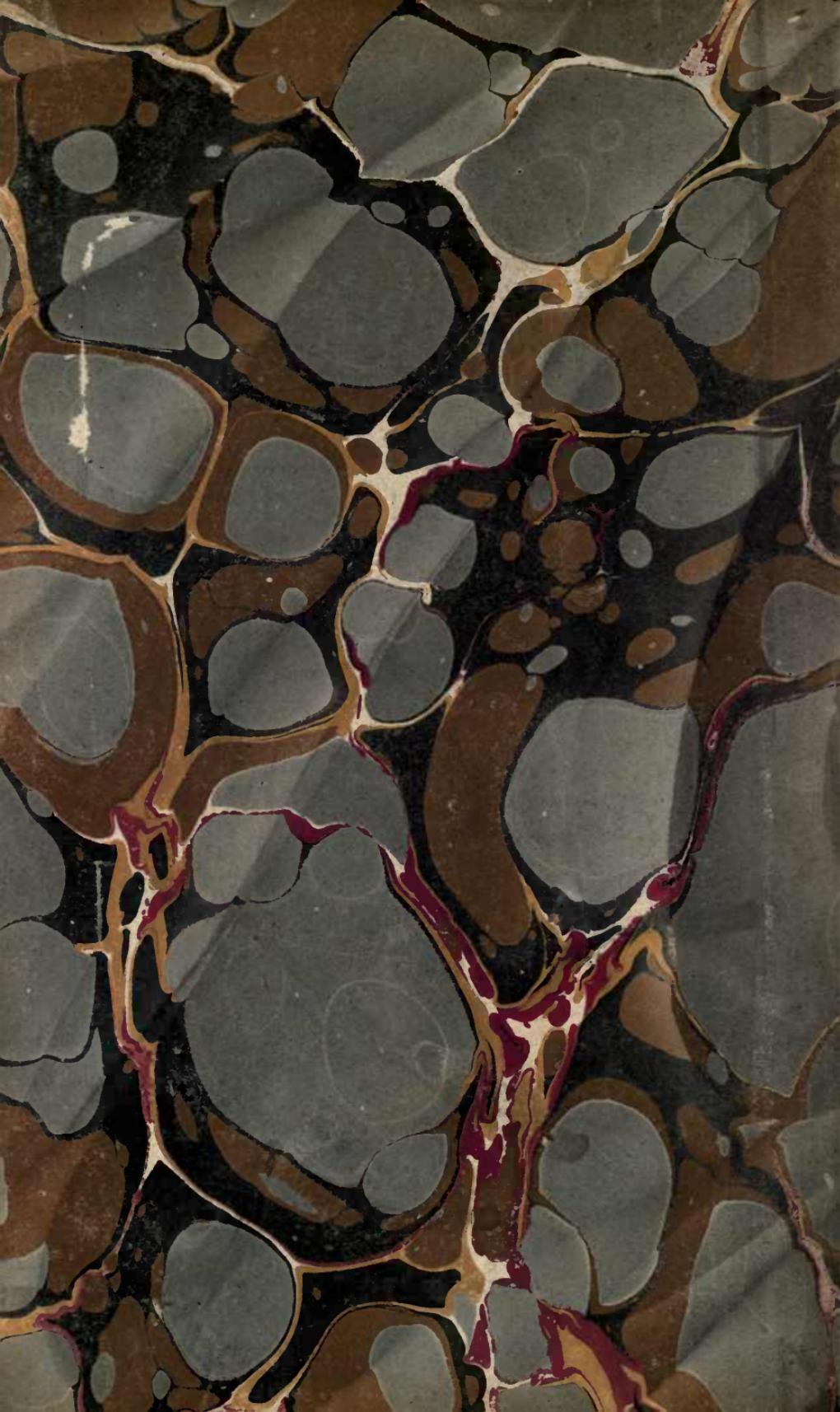
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